

# THE CANTONMENTS (HOUSE-ACCOMMODATION) ACT. 1902 (H OF 1902) AS MODIFIED UP TO 1ST JUNE 1910

AS MODIFIED UP TO IST JUNE 19

RULES MADE THEREUNDER



# CANTONMENT CODE, 1912.

# REPERENCE TABLES.

Showing where sections of the Cantonment Code, 1899, as amended from time to time will be found in the Cantonment Code, 1912.

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# THE CANTONMENTS (HOUSE ACCOM-MODATION) ACT, 1902 (II OF 1902).

[As modified up to 1st June, 1910.]

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# ACT No II of 1902[1]

[14th February 1902]

An Act to make better provision for securing house accommodation for military officers in cantonments

[As modified up to 1st June 1910 ]

WHEREAS various conditions, rules, regulations and orders have from time to time been laid down by, or by the authority of, the Government, in regard to the grant of land and the occupation of land and houses in cantonments, with the object of securing, amongst other things that houses built on such land should be made available when required for the accommodation of military officers.

And whereas, notwithstanding the said conditions, rules, regulations and orders, difficulties have frequently been experienced in obtaining house accommodation in cantonments for military officers, and it is expedient to make better provision for that purpose,

It is hereby enacted as follows -

section 3

# CHAPTER I

# PRELIMINARY

1. (1) This Act may be called the Cantonments Short title, (House Accommodation) Act, 1902 commonwearth

(2) It extends to the whole of Briti-b India (in- ment clusive of British Baluchistan), except Aden, and

(3) It shall come into force at once, but it shall not become operative in any cantonment or part of a cantonment until the issue, or otherwise than in pursuance, of a notification as hereinafter provided by

2 (1) In

<sup>[]</sup> For Statement of Objects and Peasons are Gazetic of India 1208 Pt. V p. 364, for Report of the Select Committee are shed 1902, Pt. V, p. 9 for Proceedings of Council are shed 1200 Pt. VI, p. 335 and, 1971 Pt. VI p. 220 and 6 1902, Pt. VI pp. 2 & 112.

8 Cantonments (House-Accommodation). [ACT II (Chapter I.—Preliminary.—Section 2.)

Heffinfings

2. (1) In this Act, unless there is anything repugnant in the subject or context.

(a) "Cantonment Authority" means a Cantonment Committee, or, in the case of a cantonment for which such a Committee has not been constituted, or has ceased to exist, or cannot be convened, the Commanding Officer of the cantonment:

[1] (b) 'Division" means one of the Divisions into which the Army in India is, for the time being, divided, and includes the Bannu, Derajat and Kohat Independent Brigades.

(c) "Officer Commanding the Division" means the Officer Commanding a Division, and includes the officers commanding the Bannu, Derajat and Kohat Brigades:

(d) "house" means a house suitable for occupation by a military officer, and includes the land and buildings appurtenant to such house.

(e) "military officer" means a commissioned or warrant officer of His Majesty's regular forces on military duty in a cantonment, and includes a Chaplain, a Cantonment Magistrate and any person in Army departmental employment whom the [2] [Officer Commanding the Division] may at any time, for the purposes of this Act, place on the same footing as a military officer:

(f) "owner" includes the person who is receiving, or is entitled to receive, the rent of a house, whether on his own account or on behalf of himself and others or as an

Act Amending (Army)

. . . -- , irtions into which

1902.] Cantonments (House-Accommodation).

(Chapter II.-Application of Act.-Section 3.)

agent or trustee, or who would so receive the rent, or he entitled to receive it, if the house were let to a tenant: and

- (g) the expression "repairs" to a house includes such repairs as are usually made to house in the neighbourhood, but does not include additions, improvements or alterations except in so far as they are necessary to carry out such repairs as aforesaid or have been made with the
- owner's consent.

  (2) If any question arises whether any land or building is appurtenant to a house, it shall be decided by the Cantonment Magistrate, whose decision thereon shall, subject to revision by the District Magistrate, be final.

# CHAPTER II.

APPLICATION OF ACT. [1]
3. (1) The Local Government, with the previous Cautobments sanction or parts of

Lucknow, Stiapero, Muttra, Chakrata, Rorkes, Landowne, Jhana and Meerul, see United Provinces Gazette, 1903, Pt. 1, p. 759; as to Fyrabad and a portion of the Agra Cantoments, ser shelp. Pt. 1, p. 259, as to portions of the Cawaporo Cantoment, shell, 1904, Pt. 1, p. 259, as to that the Cawaporo Cantoment, shell, 1904, Pt. 1, p. 259, as to that the Cawaporo Cantoment, shell, 1904, Pt. 1, p. 259, as to that the Cawaporo Cantoment, shell, 1904, Pt. 1, p. 259, as to that the Cawaporo Cantoment, shell a west of the Shell Ecode except two hyper-law and the west of the Shell Ecode except two hyper-law and the Shell Ecode except.

(Chapter II.—Application of Act.—Section 4. Chapter III.—Appropriation of Houses for Occupation by Military Officers.—Sections 5-6.)

Cantonments, in which Act to be operatue.

sanction of the Governor General in Council, may, by [1] notification in the local official Gazette, declare this Act to be operative in any cantenment or part of a cantenment situate in the territories under its administration, other than a cantenment situate within the limits of a Presidency town.

(2) Before issuing a notification under sub-section (1) in respect of any cantonment or part of a cantonment, the Local Government shall cause local inquiry to be made with a view to determining whether it is expedient to issue such notification and what portion (if any) of the area proposed to be included therein should be excluded therefrom

Saving of written instruments. 4. Nothing in this Act shall affect the provisions of any written instrument executed by or on behalf of the East India Company or the Government, unless the other party entitled and the Secretary of State for India in Council consent in writing to be bound by the terms of this Act.

# CHAPTER III.

APPROPRIATION OF HOUSES FOR OCCUPATION BY

Liability of houses to appropriation for occupation ly military officers.

Appropriation of house for military offices, where not already occupied by a military officer

5. Every house situate in a cantonment or part of a cantonment in respect of which a notification under section 3, sub-section (1), is for the time being in force, shall be liable, subject to the provisions hereinafter contained, to appropriation at any time for occupation by a military officer.

6. Where the Cantonment Authority, on application made to it as hereinafter provided by section 8 and subject to the requirements of that section, considers that the liability imposed by section 5 should be enforced on behalf of a military officer, it may, if the house is not already occupied by a military officer, by notice—

(a) require the owner to let the house to the military officer named in the notice, and

(b) require

- (b) require the existing occupier (if any) to vacate the same
- 7. If a house is already occupied by a depart- Appropriamental military officer, and the Cantonment Author-tion of house for ity, on application made to it as hereinafter pro-regimental vided by section 8 and subject to the requirements of officer, where that section, considers that the liability imposed by already section 5 should be enforced on hehalf of a regimen-departmental tal officer, or vice versa, it may, by notice, require the military officer in occupation to vacate the house; and may, if necessary, hy further notice require the owner to accept the change of tenancy.

8. (1) Where a military officer considers that a Procedure to notice should be issued in his hehalf under section 6 before appreor section 7, as the case may be, he may request the pristure Commanding Officer of his regiment, or (in the case house, of a departmental military officer) the local head of his department, to make an application to that effect to the Cantonment Authority.

- (2) On receipt of an application made under subsection (1), the Cantonment Authority shall inquire into the case, and it shall not issue the notice applied for unless it is satisfied-
  - (a) that it is necessary or expedient for the military officer to reside in the cantonment, or, if this Act is in force in part of the cantonment only, then in that part;
  - (b) that the circumstances are such as to require its intervention:
  - (c) that the monthly rent proposed for the house is reasonable; and
  - (d) that the house is suitable for the residence of the officer and, if it is occupied, that there is no vacant house in the cantonment or the said part of the cantonment, as the ease may be, which is suitable for his residence.

12 Cantonments (House-Accommodation). [ACT 11 (Chapter III.—Appropriation of Houses for Occupation by Military Officers.—Sections 9-10.)

Explanation I.—Where the rent of a house is registered in the office of the Cantonment Authority, the rent so registered shall be presumed, until the contrary is shown, to be the reasonable rent for the house.

Explanation II.—In considering whether a house is suitable for the residence of a military officer, regard shall be had to—

(i) the locality in which his duties chiefly lic.

(ii) his rank, and

(iii) the number of persons dependent upon, and residing with, him.

9. Every notice to an owner issued under section 6 or section 7 shall state the amount of monthly rent proposed as reasonable for the house.

- 10. (1) No house in any cantonment or part of a cantonment in which this Act has been declared by a notification under section 3, sub-section (1), to be operative shall, unless it was so occupied at the date of such notification, be occupied for the purposes of a hospital, hank, hotel, shop or school, or by a railway administration, without the previous sanction of the [1] [Officer Commanding the Division] given with the concurrence of the Local Government.
- (2) Before application is made for such sanction as aforesaid, the Commanding Officer of the cantonment shall certify whether or not in his opinion the number of houses in the cantonment, as compared with the strength of the existing or probable garrison, renders it likely that such occupation as aforesaid would—
  - (a) cause any difficulty in obtaining accommodation in the cantonment, or in the part of the cantonment in which the house is situate, for military officers, or
  - (b) necessitate the acquisition of land at some future

Notice to state that reasonable rent is offsreab beneties to be obtained before a house is occupied as a hospital, bank, hotel, shop or school, or by

a railway

tion

administra.

<sup>[&#</sup>x27;] Substituted for the words "General Officer of the Command" by the Amending (Army) Act, 1939 (5 of 1999), Genl. Acts, Vol. Vf, Appendix 11.

(Chapter, III.—Appropriation of Houses for Occupation by Military Officers.-Sections 11-13.)

> future time for the extension of the cantonment.

11. No notice shall be issued under section 6, if Houses not the house—.

to be appropristed for

- (a) was occupied prior to the date of a notifica- officers in tion under section 3, suh-section (1), de- certain cases. claring the Act to be operative in the cantonment or part of the cantonment, or is occupied with the sanction required by section 10, as a hospital, bank, hotel, shop or school, and has been so occupied continuously during the three years immediately preceding the time when the occasion for issuing the notice arises, or
- (b) was occupied prior to the dato of such a notification as is referred to in clause (a). or is occupied, with the sanction aforesaid, by a railway administration, or

(c) is occupied by the owner, or

(d) is appropriated [1] by the Local Government, with the concurrence of the [1] [Officer Commanding the Division] or by the Governor General in Council, for use as a public office or for any other purpose.

12. (1) If a house is unoccupied, a notice issued Time to the under section 6 may require the owner to give posses given son of the same to the proposed tenant within four ceases of the same to the proposed tenant within four bone the cruice of the same to the proposed tenant within four bone to bone the cruice of the same to the proposed tenant within four bone to bone the cruice of the same to be the same to days from the service of the notice.

(2) If a house is occupied, a notice issued under section 6 or section 7 shall not require its vacation in less than thirty days from the service of the notice.

13. If the owner fails to give possession of a surrender house to the proposed tenant in pursuance of a notice of house when to be issued under section 6 or section 7, or if the existing enforced

occupier

the Amending (Army) Act, 1909 (5 of 1909), Oenl Acts, Vol. VI. Ap-

pendix II.

<sup>[&#</sup>x27;] For list of houses in certain cantonments so appropriated by the Government of the Punjab, see Punjab Gazette, 1904, Pt. I, p. 816; 1816, 1906, Pt. I, p. 1106.
[7] Substituted for the words "General Officer of the Command" by

11 Cantonments (House-Accommodation) [ACI II

(Chapter 111 - Appropriation of Houses for Occupation by Military Officers - Sections 14-15)

occupier fails to vacate a house in pursuance of such a notice, the Cantonment Magistrate, by himself or by another person generally or specially authorized by him in this behalf, shall enter on the premises and enforce the surrender of the house

Option in certain cases for owner on whom notice is issued under section 6 or section 7 to call upon the mil tary officer con cerned or the Octenment

to purchase

- 14. (1) If a house in respect of which a notice is issued under section 6 or section 7 is shown to the satisfaction of the Local Government, or is proved by a decree or order of a Court of competent juils diction to have been erected—
  - (a) under any conditions tales regulations of orders which were in force in Bengal prior to the eighth day of December 1864 and conferred on the owner the option of offering the house for sale to the military officer applying for its appropriation for his occupation or to the East India Company or the Government, or
    - (b) under any conditions, rules, regulations of orders which were in force in Bombay prior to the first day of June, 1875, and conferred such an option as is described in clause (a).

then the owner shall have the option of either complying with the notice or offering the house for sale to the military officer in whose hehalf the notice was issued, or to the Government

(2) If the owner elects to sell the house, and such military officer or the Government is willing to pur chase it, the amount of the purchase money to be paid shall, in the event of disagreement, be deter mined by a Committee of Arbitration

Provision where tenant required to varate holds under a long

15. (1) If a house is occupied by a tenant holding in good faith and for valuable consideration under a registered lease for any term exceeding one year, or from year to year, no notice shall be issued

(Chapter III.—Appropriation of Houses for Occupation by Military Officers.—Section 16.)

under section 6 or section 7 without the previous sanction of the Officer Commanding the [1] [Divi-

sion.]

(2) If a house, in respect of which a notice is issued under section 6 or section 7, is occupied by a tenant holding in good faith and for valuable consideration under a registered lease for any term exceeding one year, the Secretary of State for India in Council shall, for the term of one year from the date on which the house is vacated in pursuance of the notice, or for the unexpired term of the lease, whichever is the shorter, be liable to the owner for the rent payable under this Act or, if no rent is so payable, for the rent fixed by the registered lease.

(3) If a bouse, in respect of which a notice is issed under section 6 or section 7, is occupied by a tenant holding in good faith and for valuable consideration under a registered lease from year to year the Secretary of State for India in Council shall be liable as aforesaid for the term of six months from the date on which the bouse is vacated in pursuance

of the notice.

(4) Nothing in this section shall be deemed-

(a) to render the said Secretary of State in Council so liable unless an application in writing in this behalf is made by the owner to the Cantonment Authority within fifteen days from the service of the notice; or

(b) to limit or otherwise affect any agreement between the said Secretary of State in

Council and the owner.

16. (1) Subject to the terms of any agreement Terms of in writing hetween an owner and a military officer, tenancy apart to the provisions of this section, every lease of a military blues to such an officer shall be deemed to be a lease officers. from month to month, terminable,—

(a) without notice, in the case of a Committee of Arhitration deciding, as hereinafter provided

<sup>[1]</sup> Substituted for the word " Bistrict " by the Amending (Army) Act, 1903 (5 of 1909), Genl. Acts, Vol. VI, Appendix II.

- 16 Cantonments (House-Accommodation). [ACT II
- (Chapter III.—Appropriation of Houses for Occupation by Military Officers.—Sections 17-18.)

provided, that the house has become unfit for occupation,

- (b) hy half a month's notice to the owner, in the case of the departure of the officer from the cantonment on duty or under medical certificate, and
- (c) by one month's notice to the owner, in any other case.
- (2) The Cantonment Magistrate shall, if the military officer so desires, cause the notice required by sub-section (1), clause (b) or clause (c), to be served on the owner.
- (3) Where a military officer has, in pursuance of sub-section (1), clause (a), given up his occupation of a house without notice and has occupied the house during a portion only of the calendar month in which his occupation ceased, he shall be liable to pay as rent for that portion a sum bearing the same proportion to the monthly rent as the said portion hears to the whole month.
- (4) Where a notice in respect of a house has been issued under section 6 or section 7 and the house has been vacated in pursuance thereof, the tenancy of the military officer in whose behalf the notice was issued, shall be deemed to have commenced on the date on which the house was vacated
- 17. If the tenant of a house, being a military officer, sub-lets the same without the consent of the owner, the sub-lease shall be voidable at the option of the owner.

18. (1) If the owner considers that the rent stated in a notice in accordance with section 9 is not reasonable, he may, within a period of fifteen days from the service of such notice, require that the matter be referred by the Commanding Officer of the cantonment to a Committee of Arhitration.

Power for owner to require reference to arbitration on question of rent

bub lease

13 tion of

0W1 F

(Chapter III .-- Appropriation of Houses for Occupation by Military Officers - Sections 19-21.)

(2) If the owner does not make such a requisition within the said period, he shall be deemed to have

accepted the rent so offered

(3) The rent fixed by a Committee of Arbitration or accepted by the owner under this section shall be deemed to be the rent payable by the military officer in whose behalf the notice was issued, as from the commencement of his tenancy, and the amount of such rent shall not be called in question by either party, except in the circumstances mentioned in section 21, clause (a)

19. (1) If the owner fails to execute any repairs Power for to a house which the tenant, being a military officer, require considers necessary, the Cantonment Authority may, reference to at the request of the tenant and if it is satisfied that on question such repairs or any of them are necessary, by notice of repairs require the owner to execute such repairs, or such of them as it may consider necessary, within a period, not less than fifteen days, to be specified in the notice.

(2) If the owner objects to comply with a notice issued under sub-section (1), he may, within fifteen days from the service of the notice, require that the matter be referred by the Commanding Officer of the cantonment to a Committee of Arhitration

20. If the tenant of a house, being a military Power for officer, considers that his lease should be terminable military without notice in consequence of the house having require re become unfit for occupation, he may require that the ference to matter be referred by the Commanding Officer of the on question whether cantonment to a Committee of Arbitration.

become unfit for occupa-

21. If the owner and the tenant of a house, being Power for either owner a military officer, disagree-

(a) as to any change in the rent of the house require which is proposed in consequence of reference to dilapidations or additions to buildings or another for any other similar reason, or

or military

18 Cantonments (House-Accommodation) [ACT II (Chapter III—Appropriation of Houses for Occupation by Military Officers—Sections 22 23)

(b) on any matter relating to rent or repairs not otherwise provided for by this Act, either the owner or the tenant may require that the matter he referred by the Commanding Officer of the contonnent to a Committee of Arbitration

Power for military tenant to have repairs executed and recover 22. Where-

- (a) the owner fails to comply with a notice is sued under section 19, sub-section (1), and has not, within fifteen days from the service of such notice, required that the matter he referred to a Committee of Arbitration, or
- (b) a Committee of Arhitration decides that repairs are necessary and the extent to which they are necessary, and specifies the period within which they are to be executed, and the owner fails to execute them within such period.

the Military Works Services or the Public Works Department shall, on the application of the tenant of the house, being a military officer, cause the repairs specified in the notice or, if the matter has been referred to a Committee of Arbitration, in the decision of the Committee, to be executed at the expense of the tenant, and the tenant may deduct the cost thereof from the rent, or otherwise recover it from the owner.

Notice to be given of devolution of interest in house in cantons ment. 23. Every person on whom devolves, by transfer, hy succession or hy operation of law, the interest of an owner in any house, or in any part of any house, situate in a cantonment or part of a cantonment in respect of which a notification under section 3, subsection (1), is for the time heing in force, shall be hound to give the Cantonment Magistrate notice of the fact within one month from the date of such devolution, and, if he, without reasonable cause, fails to do so, shall be punishable with fine which may extend to fifty rupees.

CHAPTER IV.

(Chapter IV -Committees of Arbitiation -Sertions 24 26)

### CHAPTER IV

# COMMITTEES OF ADDITION

- 24. In the event of any disagreement as to the Convening amount of the purchase money of a house to be sold of Connection 14, sub-section (2), the Cantonment Arbitration Tuthouty shall apply to the Commanding Officer of making the cantonment to refer the matter to a Committee action 14, of Arbitration, and the Commanding Officer of the ton (2), cantonment shall forthwith proceed to convene a Committee of Arbitration to determine it
- 25. Where a requisition is made to the Com-covering manding Officer of the eantonment by an owner of tom under section 18 section 19 or section 21, the Com Arbitration manding Officer of the eantonment shall forthwith interest the convene a Committee of Arbitration—

  where
  - (a) to determine the amount of monthly rent to be paid, or
  - (b) to determine whether any, and (if any) what, repairs are necessary, the extent to which they are necessary, and the period within which they are to be executed, or
  - (c) otherwise to determine the question in dispute
- 26 (1) Where a requisition is made to the Coin-Continuous minding Officer of the cantonment by a military officer officer under section 20 or section 21, the Command Arbitation ing Officer of the cantonment may, after such insuce of artistic and the continuous officer of the cantonment may, after such insuce of artistic officer of the cantonment may, after such insuce of artistic officer of the cantonment may, after such insuce of artistic officer officer of artistic officer of artistic officer officer officer officer officer of artistic officer office
  - (a) to determine whether the house has become unfit for occupation or
  - (b) to determine the amount of monthly rent to be paid, or
    - (c) to determine whether any, and (if any) what, repairs are necessary, the extent

20 Cantonments (House-Accommodation), [ACT 11

(Chapter IV .- Committees of Arbitration .- Sections 27-28.)

> to which they are necessary, and the period within which they are to be executed, or

- (d) otherwise to determine the question in dispute.
- (2) In the exercise of the discretion vested in him by sub-section (1), the Commanding Officer of the cantonment may refuse to convene a Committee of Arhitration on the ground that the application therefor is groundless or frivolous

Procedure for convening Committees generally

- 27. (1) Where a Committee of Arbitration is to be convened, the Commanding Officer of the cantonof Arbitration ment shall forthwith cause an order to be published in Station Orders, stating the matter to be determined.
  - (2) The Cantonment Magistrate shall forthwith send a copy of such order to the District Magistrate and to the parties concerned, and shall forthwith by notice require the parties to nominate members of the Committee in accordance with the provisions of sections 28 and 29

Constitution of Committees of Arbitration

- 28. Every Committee of Arbitration shall consist of--
  - (a) a chairman, who shall be the District Magistrate, or, if the District Magistrate is unable to act on the Committee, some Magistrate, being a Justice of the Peace or Magistrate of the first class, and not being the Cantonment Magistrate, appointed by the District Magistrate to act in his stead:
  - (b) a member to be nominated by the military officer concerned; and
  - (c) a member to be nominated by the owner concerned:

Provided that, if the military officer and the owner, at any time before the meeting of the Committee, join in nominating, by notice to the Canton-

ment

# (Chapter IV.—Committees of Arbitration.—Sections 29-30.)

ment Magistrate, any other person as chairman, such person shall he the chairman instead of the District Magistrate or the Magistrate (if any) appointed by the District Magistrate under clause (a); ลิกส์

Provided, also, that,-

- (i) if the officer or the owner fails, without reasonable cause, to nominate a memher within seven days from the date on which he may he called upon to do so, or,
- (ii) if any member, who has been nominated, neglects or refuses to act, and the officer or the owner, as the case may he, fails to nominate another member in his place within seven days from the date on which he is called upon to do so,

the District Magistrate shall forthwith appoint a memher in the place of the nominee of the officer or owner, as the case may be

29. (1) No person who has a direct interest in Members of the matter under reference or whose services are not committees immediately available for the purposes of the Com-tion to be mittee, shall he nominated or appointed a member have no of a Committee of Arbitration

- (2) If any person who has been nominated has, whose in the opinion of the District Magistrate, a direct immediately interest in the matter under reference, or if his ser- available vices are not immediately available as aforesaid, and if the officer or the owner, as the ease may be, fails to nominate another member in his place within seven days from the date on which he is called on so to do, such failure shall be deemed to constitute a failure to make a nomination within the meaning of section 28.
  - 30. (1) When a Committee of Arhitration has Meetings and been duly constituted, the Cantonment Magistrate Committee shall hy notice inform each of the members of the of Artitra

fact, and the Committee shall meet as soon as may be thereafter.

(2) The Committee shall have power to receive evidence and to administer oaths to witnesses, and the Cantonment Magistrate shall issue the necessary processes for the attendance of witnesses and the production of documents required by the Committee, and may enforce the said processes as if they were processes for attendance or production before binself

Fowers of chairman of Committee of Artitration as to meetings.

Calculation of amount of purchase money by Committees of Artitration.

31. The chairman of the Committee of Arhitration shall fix the time and place of meeting, and shall have power to adjourn the meeting from time to time as may be necessary.

32. In determining the amount of the purchasemone to be paid for a house to be sold under section 14. sub-section (2), the Committee of Arbitration convened under section 24 shall estimate the market-value of the house at the date on which the notice was served on the owner under section 6 or section 7, as the case may be.

Calendation of reat by Committees of Arbitration. 33. Subject to the presumption mentioned in the first explanation to section 8, in determining the amount of monthly rent to be paid for a house, the Committee of Arbitration shall estimate the letting-value of the house, and shall have regard to, amongst other things, the circumstances of the neighbourhood and the period of time and season for which the house is likely to be occupied during the year.

Decisions of Committees of Artitration

- 34. (1) The decision of every Committee of Arbitration shall be in accordance with the majority of votes taken at a meeting at which the chairman and at least one of the other members are present.
  - (2) If there is not a majority of votes in favour of any proposed decision, the opinion of the chairman shall prevail.
- (3) The decision of a Committee of Arbitration shall be final.

(Chapter V -Appeals -Sections 35 38)

# CHAPTER V

# APPEALS

- 35. (1) If any owner or any tenant of a house is Appeal with aggrieved by a notice issued under section 6 or-sec tion 7, he may appeal to the [1] [Officer Commanding the Division
- (2) No such appeal shall be admitted unless made within a period of twenty one days from the service of the notice aforesaid, and such period shall he computed in accordance with the provisions of the [2] Indian Limitation Act, 1877, with respect to the computation of periods of limitation thereunder

36 (1) Every petition of appeal shall be in writ Petition of ing and accompanied by a copy of the notice ap appeal pealed against

(2) Any such petition may be presented to the Cantonment Authority, and that Authority shall be bound to forward it to the ['] [Officer Commanding the Division,] and may attach thereto any report which it may desire to make in explanation of the notice appealed against

(3) If any such petition is presented direct to the [i] [Officer Commanding the Division] and an immediate order on the petition is not necessary, the [1] [Officer Commanding the Division] may refer the petition to the Cantonment Authority for report

37. The decision of the [1] [Officer Commanding Order in appeal final the Division] on any such appeal shall be final

Provided that no appeal shall be decided until the appellant has been heard or has had a reasonable opportunity of being heard

38 Where an appeal from a notice has been pre buspens on sented within the period prescribed by section 35, pending sub section (2) all action on such notice shall, on the arrest

application

<sup>[ ]</sup> Sub tituted for the wards General Officer of the Cammand 1, the Amendian (Army) At 1909 (5 of 1909) Cent Acts Vol. V1 Ap pend x II The now the Indian Limitation Act 1903 (9 of 1903 Genl. Acts Vol. 1

24 Cantonments (House Accommodation) [ACT II (Chapter VI—Supplemental Provisions—Section 59)

application of the appellant, be held in abeyance pending the decision of the appeal

# CHAPTER VI

### Supplemental Provisions

Recovery of rents from m I sarv ispants in cantonments 39. (1) If a military officer is given possession of a house in pursuance of a notice issued under section 6 or section 7, the rent payable hy such officer under this Act shall be registered by the Cantonment authority in a register to be maintained in such form as the Local Government may, by [1] rule, prescribe

(2) It such officer tails, before the fifteenth day of any month, to pay the rent so registered and due from him in respect of the month immediately preceding the Cantonment Authority, if so satisfied, shall on the application of the owner made before the end of the later month, report the matter, through the proper channel, to the Officer Commanding the [7] [Division]

ing the [ ] [Division ]

(3) The Officer Commanding the [] [Division] may if he is satisfied that the amount claimed is still due, order that it be withheld from the salary and allowances of the defaulting officer, and, upon notice of the order to the officer whose duty it is to disburse such salary and allowances, such disbursing officer shall, unless such salary and allowances are under attachment by order of a Civil Court, withhold and remit to the Cantonment Authority, for payment to the owner, the amount specified in the order

(4) If, within two months from the date of an application made by the owner under sub-section (2) on

<sup>(&</sup>quot;For rm.e made by the Government of Eastern Bengal a d Assam, see volification No. 12356 dated 16 h March 1903 Eastern Bengal and Assam Gaze to 1903.

"United Provinces see Volification 1903. United Provinces Casecite 1903. United Provinces Casecite

Act 1009 (5 of 1009) Geal Acts Vol. VI, Appendix II

# (Chapter VI -Supplemental Provisions -Sections 40-42)

on which the Officer Commanding the [1] [Division] has made an order under sub section (3), the amount of the rent in respect of which such application and order were made is not paid to the owner, the Can tonment Magistrate shall, on the application of the owner, require the defaulting officer to vacate the house within four days, and, if such officer fails to do so, the Cantonment Magistrate shall, by himself or by another person generally or specially authoriz ed by him in this behalf, enter on the premises and enforce the surrender of the house

- 40. Every notice or requisition prescribed by this Service of Act shall be in writing, signed by the person by requisions whom it is given or made or by his duly appointed agent, and may be served by post on the person to whom it is addressed or, in the case of an owner who is absent from the cantonment, on his agent ap pointed under section 226\* of the [2] Cantonment Code, 1899
- 41. (1) The Governor General in Council may Power for make [3] rules to carry out the purposes and objects Overnor Oeneral in of this Act Counc I to make rules
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may -
  - (a) regulate the procedure of Committees of Arhitration, and
    - (b) define the powers of inspection and entry which may be exercised in carrying out the purposes and objects of this Act or of any rule thereunder
- 42 (1) The power to make rules under section Further 41 shall be subject to the condition of the rules being properting made after previous publication and of their not tak mis-

ing

\* Fection 231 of the Cantenment Code 1912.

<sup>[]</sup> Substituted for the word D strict by the Amendag (Army)
Act 1993 [5 of 1993) Cenl Acts Vol VI Appendix II
[1] See Gastile of India 1903 Pt. Ip of Appendix II
[1] For rules made under the section as to procedure of Arbitration
Committees are Deal, Eug. II, and O 1 Ind III and pring p 25.

26 Cantonments (House Accomdtn ) [ACT II, 1902 ] (Chapter VI -Supplemental Provisions -Sections 13-44)

ing effect until they have been published in the Gazette of India and in such other manner (if any) as the Governor General in Council may direct

- (2) Any rule under section 41 may be general for all cantonments or parts of cantonments in British India in which this Act is for the time being oper ative, or may be special for any of such cantonments or parts, as the Governor General in Council may direct
- (3) A copy of the rules under section 41 for the time being in force in a cantonment shall be kept open to inspection free of charge at all reasonable times in the office of the Cantonment Authority
- (4) In making any rule under section 41, sub section (2) clause (b), the Governor General in Coun cil may direct that whoever obstructs any person, not being a public servant within the meaning of sec tion 21 of the ['] Indian Penal Code, in making any inspection or entry, shall be punishable with fine which may extend to fifty supecs and in the case of a continuing offence with fine which in addition to such fine as aforesaid may extend to five rupees for every day after the first during which such offence continues
- lasppt a bil ty of sect on 556 of the Code of Crim nal Proced are 1598, to trale of offences
- 43. No Judge or Magistrate shall be deemed, within the meaning of section 556 of the Code of [2] Criminal Procedure, 1898, to be a party to, or per sonally interested in any prosecution for an offence against any rule under this Act merely because he is a member of the Cantoument Committee or has or deted or approved the prosecution against rnics
- Protection 44. No suit or other legal proceeding shall be to persons against any person for anything done, or in good acting under faith intended to be done, under this Act or in puisuance of any lawful notice or order issued under this Act

Act

# RULES MADE UNDER

CANTONMENTS (HOUSE ACCOMMODATION) ACT, 1902 (II OF 1902).

THE



# MILITARY DEPARTMENT.

# CANTONMENTS

Fort William, the 16th February 1906

No 117 In exercise of the powers conferred by section 41 of the Cantonments (House Accommodation) Act, 1902 (II of 1902), the Governor General in Council is pleased to make the following rules for all cantonments or parts of cantonments in British India in which the said Act is for the time being operative —

- Every notice prescribed by section 6 may be in the appropriate form set forth in Schedule A with such variations as the circumstances of each case require
- 2. Any notice required by these rules, if not served by post under section 40, may be served by any person authorised by the Cantonment Magistrate in this behalf,
  - (a) by giving or tendering a duly signed copy thereof to the person to whom it is addressed, or
  - (b) where the notice cannot be served as prescribed in clause (a), by causing it to be affixed to some conspicuous part of the house to whiteb it relates, and by publishing it in one vernacular and one English daily newspaper
- 3. Every petition of appeal under section 35 shall state the grounds of appeal
- 4. When a Committee of Arbitration, herein after referred to as "the Committee" has been duly constituted and each of the members thereof inform ed by the Cantonment Magistrate of the fact, as provided in sub-section (1) of section 30, the Chairman of the Committee shall, within a week from receipt of such notice, fix the time and place of meeting and give notice in writing of the same to the other mem bers of the Committee, and, through the Cantonment Magistrate, to the parties concerned

- 5. The notice given to the parties under the preceding rule shall state the purpose for which the Committee will assemble and shall contain a direction to them to produce their evidence, oral and documentary, on the date fixed, or if they are unable to do so, to forward to the Chairman at least seven days prior to the day of the meeting, a list of the wit nesses whom they desire to be summoned in their he half, either to give evidence or to produce documents relating to the matter in dispute
- 6. On receipt of the lists of witnesses and doeu ments, if any, the Chairman shall, if he considers the request made for the attendance of the witnesses named and the production of the documents called for to be reasonable transmit the list to the Canton ment Magistrate for issue of the necessary processes under section 30 (2) of the Act If he considers the attendance of any witness named or the production of any document called for to he unnecessary, he shall inform the party concerned and the point whether such witness should be summoned or such document called for shall he determined by the Committee at their first meeting
- 7. It shall be open to the Chairman to call for the attendance of witnesses or the production of documents other than those named by the parties and to transmit a list of these to the Cantonment Magis trate for action
- 8 The Chairman shall record in the award the question for decision, the number of the Station Order convening the Committee the names and status of the members thereof, and the decision arrived at The award shall be signed by the Chairman, and shall be forwarded by him in duplicate to the Cantonment Migistrate for disposal
- 9 The Committee shall have power to correct any clerical mistake or error in their award which may have arisen from any accidental slip or omis sion
- 10. The Committee or any of their number or any person especially authorised by them in this be

hali, may enter into or on any building or land, which is the subject of arbitration, and may make such inspection, aided, if required, by expert evidence, as they may think fit

11. Every requisition for reference of any question to a Committee of Arbitration shall set forth

the grounds upon which the applicant relies

12. Where any member of the Committee of Arbitration dies or becomes meapable of acting, the officer or owner, as the ease may be, who nominated him shall nominate another person in his place within seven days from the date on which he is called upon to do so, and, it he fails to do so, the District Magistrate shall forthwith appoint a member in his place

13. The parties shall be entitled to appear at and be heard at the meetings of the Committee of Arbitration, or at the hearing of appeals under Chapter V, either in person or through duly quali-

fied pleaders

14 The Chairman shall furnish a copy of the award to each of the parties free of charge and shall then forward the original to the Cantonment Magistrate

15. The powers of entry conferred by section 13 and section 39, sub-section (4) and the powers of entry and inspection conferred by rule 10 shall only be everused between sunrise and sunset

Provided that--

(1) no building or land which may be occupied at the time shall be entered, unless with the consent of occupier thereof, without twenty-four hours' written notice having

been given to the said occupier,

(2) when any building used as a human dwelling is entered due regard shall be prid to the social and religious sontiments of the occupiers, and no apartment in the actual occupiers of a woman shall be entered until she has been informed that she is at liberty to withdraw, and every reasonable.

# 32 Rules made under-the Cantonments (House Accommodation) Act, 1902

reasonable facility has been afforded to her for withdrawing

- 16. No person in military employ helow the rank of Non-Commissioned Officer shall be authorised under the provisions of section 13 or 39, sub section (4), or of rule 10
- 17. Whoever obstructs any person authorised to inspect or enter a house, such person not being a puh ins servant within the meaning of section 21 of the Indian Penal Code, shall be punishable with fine, which may extend to Rs 50, and, in the case of a continuing offence, with fine which in addition to such fine as aforesaid may extend to five rupees for every day after the first during which such offence continues

#### SCHEDULE A.

#### FORM I.

Notice to owner under section 6 of the Contonments (House-Accommodation) Act, 1902 (II of 1902).

To

Whereas an application has been made to the Cantonment Authority of by Commanding Officer of the regiment under section 8 of the Cantonments (House-Accommodation) Act, 1902 (II of 1902), for appropriation of the house No.

situated at within the Cantonment of

for occupation by . And whereas it appears to the satisfaction of the said Cantonment Authority that the said house should be appropriated for the above purpose —This is to require you to let the said house to the said from the day of 19 And take notice that Rs is the amount of monthly rent proposed as reesonable for the said house, and that, unless you give effect to the above requisition within the time aforesaid (or apply for a reference to arbitration under section 18 of the said Act), the

provisions of the said Act
Dated at this

day of 19

#### (Signed)

Cantonment Authority

### Form II.

Notice to occupier under section 6 of the Contonments (House-Accommodation) Act, 1902 (II of 1902).

Tο

Whereas an application has been made to the Canton ment Authority of by Commanding officer of the regiment under section 8 of the Cantonments (House-Accommodation) Act, 1902 (II of 1902), for appropriation of the house No. within the Cantonment of for occopation by

. And whereas it appears to the said Cantonment Authority that the said

# 34 Rules made under the Cantonments (House Accommodation) Act, 1902

house should be appropriated for the above purpose —This is to require you to vacate the said house on or before the day of And take notice that unless you give effect to the above requisition within the time aforestid, the Cantonment Authority will proceed to enforce such requisition under the provisions of the said Act

Dated at

19

(Signed)

the

Cantonment Authority

Section

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# THE

# CANTONMENTS ACT, 1910 (XV of 1910).



# THE CANTONMENTS ACT, 1910

### (ACT XV OF 1910).

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THE SCHEDULE PRACTMENTS REPEALED

# THE CANTONMENTS ACT, 1910 (XV OF 1910).

An Act to consolidate and amend certain Acts relating to Cantonments,

W HEREAS it is expedient to consolidate and amend certain Acts relating to cantonments; It is hereby enacted as follows :-

# CHAPTER I.

#### PRELIMINARY.

- 1. (1) This Act may be called the Cantonments short in Act. 1910.1
  - (2) It extends to the whole of British India,2

The Act which eventually was passed as the present Act relating to Contonments was originally introduced as a Bill to smend Act X111 of 1889 for the purpose of substituting a new sub section 2 to s 17 | see now s 15 of Act AV of 1910) of that Act and a verbal amendment in cl [17] of s 26, the helect Committee on the Bill recommended that the Acts relating to Canton

This recommendation was accepted and resulted in the present Act. This Act consolidates the law contained in Act XIII of 1889 with the smendments made therein by the following Acts, namely -(1) Act 1 of 1891, (2) XII of 1895, (4) XV of 1897, (5) V of 1898, (5) of 1993, sond (7) V of

For Statement of Objects and Reasons to the Act as described above, see

for Statement of Objects and Reasons to the Act as described above, see a faction of India, 1910, Pt. V, p. 1920 and post, App. A. For Report of belect Committee with consolidating Bill, see shed, Pt. V, p. 73 and post, App. A. For Proceedings in Connect, see soid, Pt. V, p. 95 and 18 CEO on which Act and the Committee and the Connect of the Connect

not extend to British Baluchistan, the Santhal Perganas, Angul, the Chitta-gong Hill Tracts, the Pargena of Spits, the Shan States and Upper Tenawal in the Hazare District, these tracts are known as "deregulationised districts."

The Act has been applied, with the necessary modifications, to the follow ing cantonments in Native States in India by the Governor General in Council by notification in exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902 (to the Cantonments of Bhnj and Deesa by the Government of Rombay in Council in esercise of powers delegated by the Governor General in Council)

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\*\*\* The "The set feating been relieved to the \$25.5 \*\*, detail this Jane 107) argued to the Canthings of Dealt" his first and repulsions that not not may have but he to to a prove
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been upon a first may not set from a contemporal art. The set of t

# (Chapter I .- Preliminary .- Section 2.)

- 2. In this Act, unless there is anything repugnant in the subject or context,---
  - (a) "officer" means-
    - (i) a person who, being an officer within the 44 & 45 V meaning of the Army Act, is commissioned c 58 and in pay as an officer doing military duty with His Majesty's regular forces' as defined in that Act or as an officer doing such duty in any arm, branch or part of those
      - forces; and (ii) a person doing military duty as a warrant officer with those forces or with any arm, branch or part thereof, whether he is or is not an officer within the meaning of the
    - Army Act 1 (b) "soldier" means a person who is a soldier of His Majesty's regular forces within the

Lear Gazetto of Judia, Pt J. 1911, p 337

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The expression solidars as defined by a lab. Act, but, with the modifications in this Act, enclained in relation to warrant officers and non-communication forces as demonstrated to warrant officers and non-communication forces as as foundable as extraordinates to the farm, and honorary communication forces as as foundable as extraordinates and farming an impossing communication.

(Chapter II -- Cantonments and Cantonment Authorities, Courts and Police -Section 3)

> meaning of the Army Act, and is not an officer within the meaning of this Act:

- "spirituous liquor" means any fermented (c) liquor, any wine, any alcoholic liquid oh-tained by distillation, and the sap of any kind of palm tree, and includes any other liquid consisting of or containing alcohol which the Local Government, with the previous sanction of the Governor General in Council, may, by notification in the official Gazette declare to be a spirituous liquor for the purposes of this Act
  - intoxicating drug" means opium, gania, (d)bhang, charas and every preparation and admixture thereof, and includes any other intoxicating substance or liquid which the Local Government, with the previous sanction of the Governor General in Couneil, may, by notification in the official Gazette, declare to be an intoxicating drug for the purposes of this Act and
  - (e) "owner" includes the person who is receiving or entitled to receive the rent of any building or land, whether on his own account or on behalf of himself and others or as an agent or trustee, or who would so receive the rent or be entitled to receive it if the building or land were let to a tenant

#### CHAPTER H

CANTONNEATS AND CANTONNEAU AUTHORITH'S, COURTS

AND POLICE

## Cantonments

3. (1) The Local Government, with the previous paration of sanction of the Governor General in Council, may, by sastements. notification in the official Gazette, declare any place in which any of His Majesty's regular forces are

and a non-communiced effect and every person sub-ed to military had during the time that he is so subject. For the modifications referred to ever as 120 (arrant of ever) and 155 (someone proved of ren). The expression subject to make the late of the first three is needed by \$1.00 for the control of the co

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that Act.

(Chapter 11.—Cantonments and Cantonment Authorities, Courts and Police.—Section 7.)

121 of the Code of Criminal Procedure, 1898, and, as such, subordinate to the District Magistrate or to the District Magistrate and the Sub-Divisional Magistrate as the case may be, under section 172 of that Code.

#### Cantonment Court of Small Causes.

- 7. (1) When the Local Government appoints the Appointment Cantonment Magistrate to be the Judge of a Court of Small Causes established within a cantonment trate as under the Provincial Small Cause Courts Act, 1887, Judge of it shall, in its order appointing him to be such Judge, Court declare, and may by notification in the official Gazette Small Cause vary, within a limit of five hundred rupees, the value of the suits which are to be cognizable by him under
- (2) The provisions of section 15, sub-section (3), of the said Act' shall not apply to a Court of Small
- Act XIII of 1885, s 5 (7) Local authority "means any municipal committee, district board, hody of port commissioners, or other authority legally entitled to, or entrusted by the Government with the control or management of any municipal or local issued
- Act X of 1897, a S (29)—" Local authority" shall mean a municipal committee, district beard, body of port commissioners, or other authority legally centified to, or entrated by the Government with the control or management of a municipal or local fund
  - <sup>2</sup> The section provides as follows -
- 12. (1) The Local Government may appoint as many persons as it thinks fit, besides the District Magnitrate, to be Magnitrates of the first, second, or
- "(2) Except as otherwise provided by such definition, the jurisdiction and power of such persons shall extend throughout such district."

\* The section provides as follows :-

- "17 (1) All Magnitrates appointed under sections 12, 13 and 14 a shall be subordinate to the District Magnitrate, and he may from time to time, make rules or give special orders, countriest with this Code, as to the distribution of business among such Magnitrates ", and
- "(f) Every Magnitrate (other than a Sub-divisional Magnitrate) shall also be subordinate to the Sub-divisional Magnitrate, subject, however, to the general control of the Dutrict Magnitrate."
- \*S. 15 (9) of the Provincial Small Cause Gourfs Act, 1837 [1X of 1837], provides that, subject to the earlier provincian, which screet certain mutainom the cognizance of Courts of Small Causes, the Local Government may be order in writing, direct that all ruits of a cruil nature of which the value does not secred our thousand rupres, shall be cognizable by a Court of Small Causes mentioned in the order.

(Chapter II.—Cantonments and Cantonment Authorities, Courts and Police—Sections 8-10.)

Causes of which a Cantonment Magistrate is the Judge.

Appointment
of Additional
Judge of
Cantonment
Court of
Small Causes

8. When the Local Government appoints an Additional Judge of a Court of Small Causes, of which a Cantonment Magistrate is the Judge, it shall, in its order appointing him to be such Additional Judge, declare, and may by notification in the official Gazette vary, within a limit of fifty rupees, the value of the suits with respect to which the functions of the Judge of the Court may be assigned to, and discharged by, the Additional Judge under section 8' of the Provincial Small Cause Courts Act. 1887.

IX of 1857.

Continuence of jurisdice trop of Lan tromment Court of Small Cause in certain restant withstanding reduction of jurisdiction of Judge

9. A Cantonment Magistrate as Judge of a Court of Small Causes may, whatever may be the value of the suts cognizable by him as such Judge, dispose of any suit which was within the pecuniary limits of the jurisdiction of the Judge presiding over the Court at the time of the institution of the suit, and may entertain and dispose of any proceeding after decree in any such suit

#### Cantonment Police.

Police

10. (1) The police force employed in a cantonment beyond the limits of a presidency-town shall, for the purposes of the Madras District Police Act, 1859, or navivatible Police Act, 1861, or the Bomhay District Police Act, 1861, so the Bomhay District Police Act, 1861, or the Bomhay

1 rading before him

<sup>&#</sup>x27;b 8 of the Provincial Small Cause Courts Act, 1807 (IX of 1887), provides as follows -

<sup>&</sup>quot;B. (1) The Local Government with the provious cancilon of the Covernor General in Council may, by medic in writing, appoint an Additional Judge of a Court of Small Causes or of two or more such Courts

<sup>&</sup>quot;(2) The Additional Judge shall discharge such of the functions of the Judge of the Court or Courts as the Judge may essign to him, and in the discharge of those functions shall exercise the same powers as the Judge "13 The Judge may withdraw from the Additional Judge any business

<sup>&#</sup>x27;(i) When the Judge is absent, the Additi asl Judge may dis heree all er any of the functions of the Judge "

#### (Chapter III - Spirituous Liquors and Intoxicating Drugs -Sections 11-12)

(2) The area comprised within the limits of a can tonment shall be deemed to be a town for the purposes of section 34' of the Police Act. 1861

#### CHAPTER III

#### SPIRITUOUS LIQUORS AND INTOXICATING DRUGS

11. If within a cantonment, or within such limits Unauthorised around a cantonment as the Local Government may, noss liquor by notification in the official Gazette, prescribe in this or indixest behalf, any person not subject to military law or any person subject to military law otherwise than as an officer or soldier knowingly barters, sells or supplies, or offers or attempts to barter, sell or supply, any spirituous liquor or into leating drug to or for the use of any soldier or follower or soldier's wife, without the written permission of the commanding officer of the cantonment or of some person authorised by the commanding officer to grant such permission, he shall be punishable with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months, or with both

- 12. If within a cantonment, or within such limits Unauthorised around a cantonment as the Local Government may, possess on of by notification in the official Gazette, prescribe in liquor this behalf.—
  - (a) any person subject to military law otherwise than as an officer or soldier, or
  - (b) the wife or servant of any such person or of a soldier.

has in his or her possession except on behalf of the Government or for the private use of an officer more than one quart of any spirituous liquor other than fermented malt-liquor without the written permission

<sup>\*\* 8 34</sup> as amended by the Folice Act (1861) Amendment Act 180, (VIII of 1896) provides for the punishment of any person who commits a year of certain offences on any road open place or street or thoroughfare with a the limit of any town to which this rection shall be specially extented by Loral Concernment.

(Chapter III.—Spirituous Liquors and Intoxicating Drugs.—Sections 13-14.)

of the commanding officer of the cantonment or of some person authorised by the commanding officer to grant such permission, he or she shall be punishable in the case of a first officence against this section with fine which may extend to fifty rupees, and in the case of a subsequent offence against this section with fine which may extend to one hundred rupees or with imprisonment for a term which may extend to three months.

Accest of persons and seizure and confiscation of things for offences against the two last foregoing sections

- 13. (1) Any police officer or excise officer may, without an order from a Magistrate and without a warrant, arrest any person whom he finds committing an offence against section 11 or section 12, and may seize and detain any spirituous liquor or intoxicating drug in respect of which such an offence has been committed, and any vessels or coverings in which the liquor or drug is contained.
  - (2) Where a person accused of an offence against section 11 has been previously convicted of an offence against that section, an officer in charge of a police station may, with the written permission of a Magistrate, seize and detain any spirituous liquor or intoxicating drug within the cantonment, or within the limits prescribed under section 11, which at the time of the alleged commission of the subsequent offence belonged to, or was in the possession of, the person.
  - (3) The Court convicting a person of an offence against section 11 or section 12 may order the confiscation of the whole or any part of any thing seized under sub-section (2) or sub-section (2).
  - (4) Subject to the provisions of 'Chapter XLIII of the Code of Criminal Procedure, 1898, anything v of 1878 scized under sub-section (1) or sub-section (2) and not confiscated under sub-section (3) shall be restored to the person from whom it was taken.

Paring of articles sold or supplied 14. The foregoing provisions of this Chapter shall not apply to the sale or supply of any article for

Chapter Mail of the Code of Criminal Procedure, 1923 (Act V of 1933), provides for the disposal of property connected with offences or the trial of offences

(Chapter IV -Taxation and Cantonment Fund,-Sections 15-16.)

medicinal purposes by a medical practitioner, chemist for medicinal purposes or druggist

#### CHAPTER IV.

# TAXATION AND CANTONMENT FUND

#### Taration

- 15. (1) With the previous sanction of the Gov-Occeration General in Council, the Local Government may, taxtion by notification in the official Gazette,—
  - (a) impose in any cantonment which is not included in a municipality any tax which, under any enactment in force at the date of the notification, can be imposed in any municipality within the territories administered by such Government. and

(b) abolish or modify any tax so imposed

- (2) When any tax is leviable in a cantonment in pursuance of a notification under sub-section (1), the Local Government, subject to the like sanction, may, by a like notification, apply or adapt to the cantonment the provisions of any enactment or rules in force at the date of the notification in any municipality within the territories administered by such Government relating to—
  - (a) the assessment, collection or recovery of any tax:
  - (b) the refund or revision of, or exemption from, any such tax; and
  - (c) the punishment of any breach of such enactment or rules
- 16. (1) The Local Government may, by notifica-Frience of tion in the official Gazette, extend the provisions of 1859 to each be 'Bengal Chaukidari Act, 1856, to any canton-tan examonment.

Act XX of 1856 as amended by Act XXII of 1871 provides for the appointment and maintenance of police chaskiders in cities towns stations orbitubes and bears in the Perederry of Fort William in Bengal. It is now in force in certain places in the United Provinces of Agra and Oudb, the Pompla and Afuerts

#### (Chapter IV -Taxation and Cantonment Fund .-Section 19)

persons convicted of offences committed within the cantonment against this Act or against any enactment extended or rule made thereunder, or against the provisions of 'section 34 of the Police Act. 1861, or the \ of 1861 corresponding enactment' for the time being in force in the territories administered by the Governor of Fort St George in Council or by the Governor of Bombay in Council, or against the provisions of Chapter XIII or Chapter XIV of the Indian Penal Code or of section 156 of the XIV of 1860 Army Act:

c 58 (b) the proceeds of taxes imposed under section 15 or levied under the Bengal Chaukidari Act, 1856, in the cantonment; and

- (c) rents and profits accruing from property placed by the Government under the management of the cantonment authority.
- (2) Notwithstanding anything in any enactment as to the purposes to which the proceeds of a tax are . to be appropriated, the cantonment fund shall he applicable, subject to the rules under this Act, to the maintenance of the police force employed in the eantonment and to the other purposes of this Act within the eantonment and, with the general or special sanction of the Local Government, to like objects within or without British India, beyond the limits of the cantonment in cases in which, in the opinion of the Local Government, the application of the fund beyond those limits is for the benefit of the inhabitants of the cantonment or of any military force ordinarily

<sup>&#</sup>x27;S 34 as amended by the Police Act (1881) Amendment Act 1885 [VIII of 1895], proudes for the ponishment of any person who commits any cretain offences "on any road open place or street or thoroughlare within the limits of any town to which this section shall be specially extended by the Local Government "

<sup>\*</sup>For the corresponding enactments referred to, see Art XXIV of 1859 and Bombay Acts VII of 1867 and IV of 1890

Chapters XIII and XIV of the Indian Penal Code (Act NLV of 1860) deal respectively with offences relating to weights and measures and with offences affecting the public health safety convenience, decency and morals

<sup>\*</sup> R 156 of the Army Act (44 & 45 Vict. c 58) penalizes the purchase from soldiers of regimental necessaries equipments, stores, etc.

(Chapter IV .- Taxation and Cantonment Fund .-Sections 20-22. Chapter V .- Supplemental Provisions - Section 23)

quartered therein or of any detachment of any such

force

20. (1) Where, in or near a cantonment, there is custody of a Government treasury or sub-treasury or a hank to cantonment which the Government treasury business has been made over, the cantonment fund shall be kept in the treasury, sub-treasury or hank.

(2) Where there is no such treasury, sub-treasury or hank, the cantonment fund may be deposited with any hanker or person, acting as a banker, who has given such security for the safe custody and repayment on demand of the fund so deposited as the District Magistrate may in each case think sufficient.

21. The cantonment fund shall be vested in 'His Vesting and Majesty, and, subject to the provisions of this Act and of cantament of the rules thereunder and to the control of the fund Local Government, the management of the fund shall be entrusted to the cantonment authority.

22. The cantonment fund shall be deemed to be acquarter of "public revenues" within the meaning of the proviso property at 0 section 6 of the Land Acquisition Act, 1894, and casted any property acquired at the cost of the cantonment fund. fund shall vest in His Majesty.

CHAPTER V.

#### SUPPLEMENTAL PROVISIONS.

23. The Governor General in Council may, by Extension of notification in the Gazette of India, extend to all enactment cantonments or to any cantonment or to any part of ments. any cantonment any enactment for the time being in force in any municipality in British India, and declare its extension to be subject to such restrictions and modifications, if any, as he thinks fit.

' See the Government of India Act,' 1858 (21 & 22 Vict., c 106), s 40, under which the revenues of British India vest in His Majesty arma in a sin from fish rull burgs

# (Chapter 1 -Supplemental Processions -Section 24)

Matters 24. The Governor General in Council may make respecting rules' consistent with this Act to provide for all or any may be used; of the following matters, namely—

- the manner in which, and the authority to which, application for permission to occupy land belonging to the Government in a cantoment is to be made.
- (2) the conditions to be anneved to every such permission given in pursuance of such an application.
- (5) the preparation and maintenance of registers of immoverable property in contonments,
- (4) the constitution of contonment committees, the functions to be discharged by them, the conduct of and the control to be exercised over, their proceedings, and the division of duties among the members of such committees.
- (5) the functions to be discharged by the commanding officer of a contonment where a cantonment committee has not been constituted, or has in pursuance of an order of the Local Government ceased to exist or for any reson cannot be convened.
- (6) the executive duties of the Cantonment Mag istrate and his position in relation to the commanding officer of the cantonment,
- (7) the purposes to which the contonment fund may be applied,
- (8) the authority on which money may be paid from the cantonment fund,
- (9) the investment of any balance of that fund,
- (10) the execution of contracts by, or on behalf of, the cantonment authority,
- (11) the accounts to be kept by the contonment authority, and the manner in which those accounts are to be audited and published

<sup>\*</sup>A comprehensive Code of rules has been framed under this section and raned in combination with certain environments applied in exercise of the powers conferred by section 23 above See poor p. 71 and foot note on p 83

# (Chapter V -Supplemental Provision - Section 24)

- (12) the definition and abatement of nuisances for which sufficient provision has not in the opinion of the Governor General in Council, been made under section 23,
- (13) the requisitions which may be made on per sons having the control of sewers, drains latrines of other things cierting, of likely to create missances and the mode of en forcing such requisitions,
  - (14) the prevention of the overcrowding of build ings and places in a cantonment,
- (15) the construction and maintenance, to the satisfaction of the cantonment authority, of buildings and of boundary walls, hedges and other fences.
- (18) the regulation of the practice of agriculture and irrigation in a cantonment, the keep ing of lands therein in proper order, and the felling lopping and trimming of trees on such lands.
- (17) the regulation of encamping grounds, strais markets and slaughter houses, of traffic on roads and across unenclosed spaces under the control of the cantonment authority, and of processions and public assemblies
  - (18) the use and management of burnal and hurning grounds.
- (19) the supervision and the regulation of the u.c of quidue wells, tanks, twees, streams, springs or other sources from which water is or may be made available for public use, and of the lands in the vicinity thereof,
- (20) the parts of a cantonment in which persons practising any profession or carrying on any trade, calling or occupation, may be required to reside for the purpose of practising the profession or carrying on the trade, calling or occupation, and the conditions, if any, to be observed by such persons
  - (21) the prevention of the spread of infectious or contagious disorders within a cantonment

#### (Chapter V -Supplemental Provisions - Section 24)

and the appointment and regulation of hospitals or other places within or without a cantonment for the reception and treatment of persons suffering from any disease

- (22) the segregation in, or the removal and exclusion from a cantonment, or the destruction of animals suffering or supposed to be suffering from any infectious or contagious disease.
- (29) the suppression of mendicancy and of loitering or importuning for the purpose of prostitution and the removal and exclusion from a cantonment of disorderly persons, of persons who have been convicted of any offence against 'Chapter XVII of the Indian Penal Code or section 156 of the xive 'Army Act or have been ordered under 446.464 the 'Code of Criminal Procedure, 1898, c. 55 to execute a bond for their good behaviour, variand of persons whom the commanding officer deems it expedient to evolude from the cantonment with or without assigning any reason for excluding them therefrom,
- (24) the prevention of cruelty to animals and the care of animals while grazing.
- (25) the prevention and extinction of fires.
- (26) the registration of births and deaths,
- (27) the appointment by owners of buildings and lands in cantonments, who are absent from cantonments, of persons residing within or near cantonments, to act as their agents for all or any of the purposes of this Act or any canetment extended or rule made thereunder.
- (28) the powers of inspection, entry and search which may be exercised in earrying out any

<sup>&</sup>lt;sup>1</sup> Chapter XVII of the Indian Penal Code (Act XIV of 1860) deals with offences against property

a See foot note to s 2 onte p 44 As to s 156 of the Army Act see foot note to s 19 (1) of thus Act onte p 53
a See Chapter VIII of the Code of Cruminal Procedure 1898 (Act V of 1898)

(Chapter V —Supplemental Provisions.—Section 25.)
of those purposes, and the eases in which
breaches of enactments extended or rules
made under this Act are to be cognizable

- offences;
  (29) the mode in which summonses, notices, requisitions and other documents are to be served on the persons to whom they are addressed:
- (30) the eases, authorities and conditions in, to and on which executive orders passed under, this Act or any enactment extended or rule made thereunder may be appealed from; and.
- (31) generally, the carrying out of the purposes of this Act.
- 25. (1) The power to make rules under section 24 is supplemental supplemental previous phylication and of their not taking effect roles, until they have been published in the Gazette of India and in such other manner as the Governor General in Council prescribes.
- (2) A rule under section 24 may be general for all cantonments in British India or for all cantonments not expressly excepted from its operation, or may be

thereby,
(2) the publication shall be made in such manner as that authority

<sup>(3)</sup> 

<sup>(4)</sup> where the rules or bye laws are to be made with the sanction,

have been made in exercise of a power to make rules or bye laws after previous publication shall be conclusive proof that the rule or bye-law has been duly made."

### (Chapter V -Supplemental Provisions -Sections 26-27)

special for the whole or any part of any one or more than one cantonment, as the Governor General in Council directs

- (3) A copy of the rules for the time being in force in a cantonment shall be kept open to inspection free of charge at all reasonable times in the office of the Cantonment Magistrate
- (4) In making any rule under clause (12) or any of the following clauses of section 24, the Governor General in Council may direct that a breach of it shall be punishable with fine which may extend to fifty tupies, or with impresonment for a term which may extend to eight days and, when the breach is a continuing breach with fine which in addition to such fine or imprisonment as aforesaid may extend to five suppers for every day after the first during which the breach continues

Lateusion of certain cuae ments and rules to places beyond can tonments

- 26 the Local Government may by notification in the official Gazette and subject to any conditions as to compensation or otherwise which it may see fit to impose extend to any area beyond a cantonment and in the vicinity thereof—
  - (a) any enactment which, with or without restriction or modification, has been extended to the cantonment or any part thereof under section 23. or
    - (b) any rule in force in the cantonment or any part thereof under clause (12) or any of the following clauses of Section 24, as well as any direction there in force under sub section (4) of section 25,

and the enretment, rule or direction specified in the notifications shall so long as the notification remains uncancelled, apply to that area as if the area were uncluded in the contonment.

Cantonments in presidency 27. Where a cantonment is situated within the limits of a presidency town, the functions assigned to 'As to continuing breaders for the Emiliary Tuberram (1995) 11 R 22 Bom 765 and Q entily peecs, Will me Homers (1997) 13 R 22 Bom

<sup>&</sup>quot; See fort n te to # 4 p 46

so conferred

# (Chapter V -Supplemental Provisions -Sections

any anthority by this Act or any enactment extended or rule made thereunder shall, subject to the provisions of any enactment for the time being in force, be discharged by such authority as the Local Government may appoint in this behalf

28. A suit of prosecution shall not be entertained Protection of any Court against any cantonment authority, authority, authority appointed under section 27. Cantonment magistrate Magistrate or commanding, medical or other officer for and commandanything in 'good faith done or purporting to be done in pursuance of powers conferred by or under this Act on such authority, Magistrate or officer, whether the thing done was or was not authorised by the powers

29. (1) Section 54, paragraphs 2 and 3, and sec- leg stration tions 59, 107 and 123 of the Transfer of Property Act, 1882, with respect to the transfer of property by

'Under s 3 (70) of the General Clauses Act 1897 (V of 1897), a thing shall be deemed to be done in good faith where it is in fact done honestly,

whether it is done negligently or not S. 1 of the Transfer of Property Act 1882 (It of 1882) provides that

wards a mortgage can be effected only by a registered instrument signed by the mortgager and attested by at least two witnesses. Where the principal money secured is less than one hundred rupees a mortgage may be affected either by a regulered instrument signed and attested as aforesand or (everpt in the case of a simple mortgage) by delivery

atteited as storesaid or feveree in the case of a simple mortgage by delivery of the properly obtaining in this section shall be deemed to render invalid mortgages mide in the fowns of Calcutta Wadras Bombay, Karachi Pangoon Wool mens Bavent and Akrab by generative to a cred for or his agent of document of title to immoreable property with intent to create a security thereon.

"Of A lease of immoreable property from part to year of any term exceeding one even or reserving a vestir with can be made ofth to a registered in the property from the control of t

tered instrument

(Chapter V -Supplemental Provisions,-Section 29.)

registered instrument, shall, on and from the commencement of this Act, extend to every cantonment in British India.

(2) Where a cantonment has not been constituted a sub district or district for the purposes of the 'Indian Registration Act, 1908, under section 9 of that Act, xvi of the Registrar of the district in which the cantonment is situated shall cause a copy of such entries in Indexcs Nos. I and II as relate to immoveable property within the limits of the cantonment to be forwarded to the Cantonment Magistrate annually or at such shorter

All other leases of immoveable property may be made either by a regis tered instrument or by oral agreement accompanied by delivery of possession

Provided that the Local Lovernment may, with the previous sanction of the Governor General in Council from time to time by notification in the local official gazette direct that leases of mimoveable property other than leases from year to year, or for any term exceeding one year, or reserving a yearly rent, or any class of such leases, may be made by unregistered instru ment or by oral agreement without delivery of possession

intervals as the Local Government may prescribe.

123 For the purpose of making a gift of numovesble property, the transfer must be effected by a required sustument signed by or on behalf of the donor, and attested by at least two witnesses. For the purposes of making a gift of movemble property, the transfer may be effected either by a registered instrument signed as aioresaid or by dolivery. Such delivery may be made in the same way at goods sold may be

delivered

18 9 of the Indian Registration Act, 1908 (AVI of 1908), provides as follows -

9 Every mulitary cantonment may (if the Local Government so directs) be, for the purposes of this Act, a sub district or district, and the Canton ment Magnitatio shall be the Sub Registrator or the Registrat of such sub. district or district, as the case may be

As to the nature of these Indexes, see a 55 of the Indian Registration Act, 1905 (A VI of 1908)

The section in question is as follows — 55 (1) four such indexes shall be made in all angistration offices, and shall be made, respectively, Index No I, Index No II, Index No III and

(2) Index No I shall contain the names and additions of all persons executing and of all persons elaming under every document entered or memorandom filed in Book No I (3) Index No II shall contain such particulars mentioned in a 21 re

is the Inspector General

additions of all persons ook No 3, and of the uder and after the death mes and additions of all

additions of all persons ry document entered in

Book No 4 (b) Lach index shall contain such offer particulars, and shall be prepared in such form as the Inspector General from time to time directs "

(Chapter V — Supplemental Pravisions — Section 30 Chapter VI — Repeals and Savings — Sections 31-32)

30. The Governor General in Council may, by noti- Limitation of fication in the Gazette of India, evelude from the oper- of this Act ation of the whole or any part of this Act the whole or any part of any cantonment

### CHAPTER VI

#### RIPEALS AND SAVINGS

- 31. The enactments mentioned in the Schedule are 1 epole repealed to the extent specified in the fourth column thereof
- 32 All licenses and permits given under the Savings of Cantonments Act, 1889, or under any enactment repealed by that Act, and in force at the commence ment of this Act, shall be deemed to have been given under this Act.

# THEISCHEDULE.

See section 31.

-			:
Ten	Ye	*Bori C.t.c	Letert of repea
	•	•	
leni	m	The Cantonwests Act	So much as has not been repeated.
1231	1	The Cattle-Inspars Act (1871: Ameriment Act	i beries II
	XII	The Amending Act, 1891	Eo much of Part I of the Second Stiedale as relates to the Cautemments Act, I 1829
1486	711	The Excess Act, 1898	So much of the Schedule as relates to the Confirmments Art, 1509.
1897	7.6	The Caplotments Act, 1897	The who'e
1525	Y	cedere, 1839	So much of Schedule I as relates to the Cantonments Act. 1809
19:8	I	Amending Act, 1903	So much of Part II of the Second Schola's as relates to the Cantonments Act, 1809
1209	v		So much of the Scholule as relates to the Cantonments Act, 1509

#### APPENDIX A.

#### STATEMENT OF OBJECTS AND REASONS

Is applying or adapting to a cantonment, under action 17, sub section (2), Section 17, of the Cantonmente Act, 1889, any enactment or rules in force in a muni-induction (2) capality for the assessment and recovery of a tax, any provision in the earno of a breach thereof, cannot, however, a provision has now to be separately

a provision has now to be separately has therefore been considered desirbove sub-section, so as to cover the or enactment

Forther it has been found necessary to provide against the creation of Section 25 subshort cuts and the establishment of rights of way across parade grounds, section (17) regimental recreation grounds, ornamental plots and other grass lands, as also

regimental recreation grounds, ornamental plots and other grass lands, as also unenclosed spaces near barracks in Cantonments

It has been found that no legal power at present exists to prevent these art wheels and fouled with the droppings to fit he appearance of the Cantonment,

aome danger to health and the general regulate traffic across unenclosed spaces under the control of the Cantonment authority

It is intended that a notification of prohibition of thoroughfare, where it is found necessary to restrict tradic, shall be conspicuously placed by the Cantonment authority so that persons found disregarding the warning might be dealt with under the power now sought

OM CREAGH

The 16th July 1910

# CANTONMENTS CONSOLIDATING BILL-SELECT COMMITTEE REPORT

'e Select Committee to which the Bill 1889, was referred, have considered bunt the our recort with a canable

 ibmit this our report with a consoli in place of the original amending Bill

the principal and amending Acts. We have accordingly prepared a consolidating Bill which repeals the Cantonments Act, 1839, with its amending enactments, and reproduces the law as contained therein with the amendmente proposed in the Bill as infroduced.

3 The alterations which we suggest in the existing Act are as follows. They make no change in the law

Section 1 (3) - Omitted as surplusinge The Bill if passed will come into force at once
Section 2 - Reproduced by clauses 31 and 32 in a abortened form, regard

being had to sections 8 and 24 of the General Clauses Act, 1897

Section 3 (2)—Omitted, heing provided for hy section 20 of the General Clauses Act, 1897.

Section 4 (1) -The concluding words have been emitted, being provided for by section 21 of the General Clauses Act 1297

Section 13-Omitted, as spent

Section 18 (8) and the concluding words of section \*1 (1) -0mt ed, being provided for by section 21 of the General Causes Act, 1297

\*ec'roπ\*\*\* -Omitted being provided for by section 500 of the Code of Criminal Procedure 1893.

We have corrected references to Acts now repealed and references to Her Majestr and have followed present practive in referring to Lot's by their subtron that titles and in the use of certain draftim express on nonincommon use in place of equivalent expressions which are contained in the lot.

4 The publication required by the rules has been made to English in the Gaze to of India dated the 21rd July 1910.

We think that the Bill has not been so altered as to require re publication, and we re-commond that the consolidating Bill proposed by us be passed.

O Y CEEAGH
S P SINHA
P I SCALLON
E D MACLAGAN
PARTAB SINGH
ZULFINAB ALL SHAN
UMAR HYAT KHAN

The 5th 142 1910

#### APPENDIX B

(The Contonments Bill which became 1ct VIII of 1889)

#### STATEMENT OF ORIFORS AND REASONS



#### pectively administer

- 2 Of the other portions of the Bill the following only appear to call for mark -
  - (1) Section 2—It is proposed to repeal all existing Contonment Acts in force in British India and several obsolete enactments relating to cantonments and other military matters.
  - (f) Section 3—The words "officer and "soldier are defined for the purposes of Chapters V and III, respectively, and the definition of the expression 's partitions liquor is designed to remove difficulties which have arisen in the construction of that expression in existing enactments.
  - (5) Sections 47 -It is proposed that every contonment be a sub divi

and the second second

tions 11, as jumple on a bount of somet before he requires assistance at can be given to him under section 8 of the Provincial Small Came Courts Act, 1837 Differs who are now invested with power to try breaches of rules not as Magnetistes but in pursaince of an order of the Local Gardenment under section 28, Act II of 1850, section 20 Major Act I of 1856 or section 12, Bombay Act III of 1857, must be appointed Special Magnetistes and as such objects the few rules prescribed in Chapter XX of the Code of Criminal Procedure 1822, for the trial of summon cases

- [4] Serion 8—This section verts the administration of the carton ment polyen in the D-timet Superingender under the general coultry and direction of the D-timet Magnifiate Command in officers of cantoments are to be rehered of the duty with h is now unnecessarily imposed upon them of service processes used by the Courts for execution in anticoments.
- (\*) Cictions 17 21—These rections give a legal status to can'onment funds and can'onment committee. The want of such a status has been a not infrequent cause of incorrencement.
- (5) Setton 35—This section which would make every carbonisms association for the purpose of the Indian Rejectation Act. IIII of 1877 and the Cantonnest Magnetize the bab Requirer of the sub-distinct, and require the provious of the Transfer of Property Act 1822, with respect to the regulation of documents to be observed in every carbonisms is designed to reduce the difficulties which now occur in the maintenance of remixers of immoves the property in cantonisms.
- (7) Section 27 Sectoral of the powers which it is proposed to take for making rules are not given by enactments now in force

The 12th Oct to In

6 CHF-NF1

#### APPENDIX B

#### (The Cantons ents Bill-Peport of Select Committee ) LEGISLATIVE DEPARTMENT.

Memorandum from Goternweit el Ioda, Miltury Department, No. 723-7-6, dated 18th October, 18th and enclosure [Papers A. 1]

From Officials Feeritary to Chief Commissions, Jasen A. 18th, 64td 10th Asternberg, 18th [Papers A. 18th, 64th 10th Asternberg, 18th [Papers A. 18th, 64th 10th Asternberg, 18th [Papers A. 18th, 64th 10th Asternberg, 18th, and enclosure for 18th, active 23th Asternberg, 18th, and enclosure [Pagers No S] Darg! Magdan B tolat Court Tanna dated

From Preident, Land order Association, Mhon Cust amend faired III Devender 18%, and exclusion [Figure 8, n at 18]. The Present of the Control of the Control

From refresh Down

.... Endorsement by Unite Sectetary to Governa ent of tade House to 3 A , dated 11th January 19-9 and enclosates Department, \( Papere \0 18)

. .

.....

From Registrar High Court Calculta, to 251 dated 31et January 1899 (Paper to 20) t Madra: \0.21] . . . .

Portomer 

tare Department anclosure [ Papers a Gorernment Nortl Western Pr sbees u & . .

1 en ndia I Ca حالت 1 48 adle,

ndia, cionare [Paper Ave J.]
Federement by Assistant Secretary to Government of India Military Department ho 381-C, dailed first Mare, 1800, and accionares [Paper No. 26]
centry 18 Government Paylab No. dailed Little January 1804 and residences from drifts, No. 178-N. dated Little January 1804 and residences if from drifts, No. 178-N. dated Zod July 1805 and evidences [Paper No. 27]

WE, the under-eigned Members of the Select Comilitee to which the Bill to consolidate and amend the law relating to Cantonments was referred. have considered the Bill and the papers noted In the margin, and have now the honour to anhmit this

Report 2 The Bill, sa origin ally framed, divided itself naturally into two tarts-the first re'atm. to the general administrature of cart nments as regards police constrancy. faration and so forth the second relating to in moverble property Then has been a gen eral concurrence of to thore or it ideas the provisions of the brist part of the Hill, while the second has provoked considerable descussion and apposition Our present l'e port relates only to the first part of the Bill for the speedy ens tment of which cogent ressons exist As regards the second part, we consi der that Chapter V of the Bill as introduced in October last, ahenld. an such form at may be approved by the Gorernment after constderation of the representations which its proposals have slicited, be treated as a separate measure and be coostdered by a Select Com. mittee and the Council in Calcutta

Belg-

- 3 In the rest of the Bill as introduced we have made several alterations of which the following only need be mentioned, the sections hereafter cited being those of the Bill as revised by us and amersed to this Report —
  - [1] By section 2 we have proposed to save existing rules for the present and to continue the validity of Immia defined under enactments which are now to be, or have long since been, repealed

#### affecting contonments

- (5) Sections 7, 8 and 32, relating to Cantonment Magistrates, Canlon ment Courts of Small Causes and Cantonment Sub Registrars, have been modified so as to meet the objections which were taken to the corresponding sections of the original Bill on the ground of their want of elasticity.
- (4) The Assistant Cantonment Magistrate, in the few places where

appointed to be, a is Code of Criminal rested under a Can Judge of a Canten er sections 9 and 10 of the Court with

#### like powers

- (5) From section 12 we have omitted the references to section 48 of the Madras Police Act and section 31 of the Bombay Police Act, because local legislation now pending will render them inapproprinte
- (6) In sections 17, 18, 20 and 21 we have recognised the practice which still obtains in some parts of India, of suffering cantonments to be included within the limits of municipalities
- (7) Under section 25 st will be practicable to apply to cantonments the substance of Chapters VI and VII of the Punjab Municipal Act, 1854, which have already been adopted for all munic palities in America and Bears, and have recently been repro duced in the Central Provinces Municipal Bull
- (8) By section 31 we have proposed to extend to cantonment authorities acting in good faith such protection as is given by Act XVIII of 1850 and the Indian Penat-Code to Judicial officers so acting
- 4 The publication ordered by the Council has been made as follows -

5 We do not think that the measure has been so altered as to require republication and we recommend that it be passed as now amended

G CHESNEY ANDREW R SCCBLE PHIL P HUTCHINS

R J CROSTILWAITF

The 6th August 1889

# THE

CANTONMENT CODE, 1912.



## THE CANTONMENT CODE, 1912 \*

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2. The Cantonment Code 1899 published under Not Scat on of the Government of Ind a in the dilitary Department, No. 864 dated the 18th June, 1899, as subsequently amended is hereby re

scinded. Det Committee constituted, appointments orders, bre-laws and requis tess made positions, retires and remonest inserts and intense granted mater the sa Code stall be deemed an intense that the constituted of the same of the sa

## The Contonerent Code, 1912

## CHAPTER IL

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## THE CANTONMENT CODE, 1912.

#### CHAPTER I

#### PRELIMINARY

## Short title

1. These rules and applied enactments may be called the Cantonment Short title Gode, 1912

General Definitions 1

- 2. (1) In this Code, nuless there is snything repugnant in the subject Definitions or context,-
  - (a) "Accountant Ceneral" means the Civil Accountent General or , Comptroller:
  - - (c) "Brigade" means any body of troops, placed for administrative purposes under a Commander of one or more stations having the status of a Brigadier General or Colonel on the Staff, and excludes the Aden, Danno, Derajat and Kohai Independent Brigades
    - (c) (c) "Division" means one of the Divisions into which the Army in India 1s, for the time being, divided, and uncludes the Aden, Bennu, Derajat and Kohat Independent Brigades.
    - (d) "dairy" includes every farm, shed, milk store, milk shep or other place frem which milk is supplied, or in which milk is kept fer purposes of sals;
    - (c) darryman "includes the keeper of a cow, buffale, goat, ass, or other animal, the milk of which is offered, or intended to be effered, for sale for human consumption, any purveyor of milk and any occupier of a dairy:
    - (f) "Executive Engineer" means the Public or Military Works Officer of that grade having charge of the military works in the cantenment and includes the officer, of whatever grade, in immediate executive
    - (h) "infectious or contagious disorder" includes cholera, leprosy, enteric fever and every infectious or contagious disorder other than a

(g)

- venercal disease
  (4) "keeper of a sarái" inclindes the owner of a sarái, any person having the care or management of a sarái and the lessee of any land, whether belonging to the Government or not, occupied by a sarái.
- (j) "lessee" means a person who has been granted permission, whether before or after the commencement of this Code to occupy, for the purposes of a building site, land belonging to the Government in a cantonment, and includes the successors in interest of a lessee

tha achitics in three definitions the defaultions in a 2 of the Cantonwoods Acc., 1913 (XY or

the addition to these definitions the definitions in a 2 of the Cantoments Act, 1919 (XY of 1810) heply and should be borned in mind-see a 20 of the General Canses 2ct, 182" (X of 1807) Further, the provisions of the litter at an applicable

(Chapter II -Cantonment Committees and Control -Section 5)

- (k) "heensed market" means a pravate market heensed by the canton
- (b) "heersed slaughter house" means a private slaughter house licensed by the cantenment authority
- (m) "market" means a place in a cantonment where persons periodically assemble for purposes of selling any articles of food for human consumption
- (n) "notification" means a notification in the local official Gazette
- (o) "notified" means published by notification
- (p) "private market" means a market not maintained by the canton ment anthority
- (q) "private slaughter house" means a claughter house not maintained by the cantonment authority
- (7) "public market" means a market maintained by the cantonment
- anthority
  (s) "public slanghter house" means a slaughter house maintained by the
- cantonment authority

  (4) "regimental bazar" means a bazar under the management of regi
- mental authorities

  (a) 'Sanitary Officer' meane, where no Sanitary Officer has been specially appointed, the senor executive Medical Officer in military employ
- on duty in a cantonment (v) "sarái" means a building in a cantonment ordinarily used whether
- wholly or in part, for the accommodation of native travellers
  (w) "slanghter house" means a place in a cantonment ordinarily used for
  the slaughter of animals for the purpose of resulting the flesh for
- human consumption

  (z) "source of public water supply" includes every public well, tank

(y) \*\* z

 quare court alley, passage a thoroughfare or not and the public have a right of over any hridge or cause

way and

(s) "treasury" means the Covernment treasury or sub treasury, or the hank or place prescribed by or under section 20 of the Cantonments Act, 1910, for the custody of the cantonment fund of a cantonment xs

(2) Where any question arises as to whether a building is or is not a sark or a place is or is not a shapther bones it shall be decided by the cantomizant authority, and the decision of the cantomized authority thereon shall be final and conclusion.

### CHAPTER II

## CANTORMERY COMMITTEES AND CONTROL. Constitution

- 3 (1) In every cantonment with respect to which the Local Covernment has determined that a Cantonment Committee as to be constituted, the Canton ment Committee as to be constituted, the Canton ment Committee as the ordinarily consist of the following members, namely
  - (a) at the head quarter cantonment of a Division or Brigade a combat ant officer appointed by same in Station Orders by the Officer Commanding such Division or Brigade, in all other cases the Commanding Officer of the cantonment,

- (Chapter II -Cantonment Committees and Control -Sections 47)
- (b) any Magistrate of the first class, being also a Justice of the Peace, appointed by the District Magistrate to represent him
- 3 1 AL A \_ L \_ AL, \_ 3 A \_ AL A . L Trigistrate must also be a . - t Magistrate may, with ision, appoint as his re e Peace, until such time
- (c) such Commanding Officers in the cantonment as may be appointed in
- Station Orders to be members. (d) the Cantonment Magnetrate,
- (e) the Samtary Officer.
- (/) the Executive Engineer, and
- (q) the District Superintendent of Police
- (2) At the head quarter cantonment of the Division or Brigade the officer appointed under and section (1), clause (a), in all other cases the Officer Commanding the cantonment, shall be the President of the committee and the Contonment Magistrate shall be the Secretary
- (3) If the President is absent from any meeting the next senior combatant officer present aball preside on that occasion
- 4. The Officer Commanding the Division may, by order in writing, appoint Additional any residents of the cantonment, whether officials or non-officials, to be Contoment additional members of the Cantonment Committee for such period as may be Committee.
- stated in the order and may similarly revoke any appointment so made 5. The Cantonment Committee (if any) shall discharge the functions of the Cantonment tonment authority under this Code

  opticial control is a control optic cantonment authority under this Code

ionclicos of authority

- (a) shall be in abeyance, or see alast with on hound & a ma
- ... ау

## Meetings of Cantonment Committee

7. (1) The Cantonment Committee (if any) shall meet for the transaction Time and pace of business once at least in every month, and at such other times as the Press of meetings and notice of busident may direct.

- (2) The time and place of each meeting shall be announced in Station Orders and shall be communicated to each member by a notice in writing issued by the Secretary
  - (5) Every notice issued under sub section (f) shall -
    - (a) unless the President in any case otherwise directs, be issued so as to reach each member three clear days before the meeting takes place,
    - (b) be accompanied by an agenda paper specifying the business to pe transacted at the meeting
- (4) The Pres dent may permit the consideration of any business not specified in the agenda paper as aforesaid, unless a majority of the members require its postponement to a later meeting
- (') The Pres dent may by order in writing adjourn any meeting to any date to be fixed by the order

## Tie Cantonment Code 1912 (Chapter II -Cantonment Committees and Control -Sections 8 18)

# Six days notice required in ce tel case«

8 No business relating to the imposition abolition or modification of any tax shall be treneacted at a meeting unless at least six clear days notice in writing of the date fixed therefor has been given

Quot n

- 9 No business shall be transacted at a meeting unless there are present in addition to the President,-
  - (a) three members of the committee or
- (b) half the total number of members whichever number is the greater

Stinutes of proceeding to

10 (1) Min stee of the " book place to the

(2) he for

Meetings to Le

p blie Deels on by major ty of

10 48

it areay meeting shall be open to the public unless in any case the President for reasons to be recorded in the minutes otherwise directs

12 (1) All questions coming before a meeting shall be decided by a majority of the votes of the members present and voting (2) In the case of an equality of votes the President shall have a second

or casting vote (5) The dissent of any member from any decision of the Cantonment Com muttee with an abstract of the grounds therefor shall if the member so requests be entered by the Socretary in the minutes

## Control

President and i i triet Magistrete to pend ag reference to higher authority 13 (1) If the President dissents from any decision of the Cantonment Committee he may for reasons to be recorded in the minutes by order in writing direct the enspension of action thereon for any period not exceeding one month and if he does so he shall forthwith refer the matter to the Officer Commanding the Brigade or Division as the case may be

(2) If the District Magistrate considers any decision of the Cantonment Committee to be prejudicial to the public health earley or convenience, he may whether on a report made by the Magistrate representing him on the Sta- o ---

(5) If the Magistrate appointed to represent the District Magistrate on the Cantonment Committee as present at a meeting and dissents from any decision which he considers prejudicial to the public health eafety or con venience he may, for reasons to he recorded in the minutes and after giving notice in writing of his intention to the President report the matter to the District Mag strate and th the

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1 Ide

Co trelling power of 055 et wind bg the B ica te

14 (1) The Officer Commanding the Brigade may by order in writing (a) call for any book on a ٠.

(b) re

(c) require the cantonment authority to furnish plans and estimates for all . . 7.;

- (Chapter II Cantonment Committees and Control Sections 15:16 Chapter III — The Cantonment Magnitude and Cantonment Servants — Section 17)
  - (d) direct that any matter or any specific proposal, other than one which has been referred to the Local Covernment under section 13, subsection (3), he brought hefore the Cantonment Committee
  - (3) The Officer Commanding the Brigade may, by a like order,-
    - (e) direct the suspension, for such period as may be stoted in the order, of action on any decision of the Cantonment Committee which has not been referred to him under section 13, snb section (1).
  - (f) when any decision of the Cantonment Committee has been referred to
    him under section 13, anh section (1), either—
    (i) cancel the order given by the President direction the suspen
    - aion of action, or
    - (ii) extend its duration for such period as may be stated in his order, or
    - (in) declare the modifications with which the decision may he carried into effect by the Cantonment Committee
- (3) When the Officer Commanding the Brigade directs the suspension of action on any decision of the Cantonment Committee, or extends the duration of any order of suspension, he shall forthwith refer the matter to the Officer Commanding the Division
  - 15 The Officer Commanding the Division may, hy order in writing Controlling

    (a) exercise any of the powers conferred by section 14, sub-section (1), homes
  - on the Officer Commanding a Brigade,

    (b) direct the supension for such period as may be stated in the order, the Division of action on any decision of the Cantonment Committee which has
  - not heen reported to him under section 13 sub-section (2), or reforred to him under section 14, sub-section (3), or (c) when any decision of the Cantonment Committee has heen referred to him under section 14, sub-section (3), either
    - im under section 14, sun section (3), either—

      (1) cancel the order given by the President or the Officer Commanding the Brigade, as the case may he, directing the
    - anspension of action, or

      (1) extend the duration of the order for such period as may be
      stated in his order, or
    - (iii) declare the modifications with which the decision may be carried into effect by the Cantonment Committee
- 18 When any decause of the Contomment Committee has been referred to Controlling the Local Government under reaction 38 subsection (5), the Local Government series of seat ment shall consult the Officer Commanding the Division and may then, b) overnment order in writing, either—
  - (a) cancel the order given by the President directing the auspansion of action, or
  - (b) extend its duration for such period as may be stoted in its order or
  - (c) direct that no action he taken on the decision or
  - (d) declare the modifications with which the decision may be carried into effect by the Cantonment Committee

#### CHAPTER III

THE CANTONMENT MAGISTRATE AND CANTONMENT SERVANTS

Cantonment Haguetrate

17. (1) The Centonment Magnetrate shall be the executive officer of the Fusion and cantonment authority, and all orders of the cantonment anthority shall be greated through him.

## (Chapter III -The Cantonment Magistrate and Cantonment Servants - Sections 1828)

- (2) The Cantonment Magnetrate, as Socretary of the Cantonment Communication and the section 2 cantonment authority, shall be subordice cantonment or at the head quarter the officer appropriated under section 2.
- (5) The Cantonment Megistrate shall see that all orders of the can tonment authority are duly obeyed
- (4) The Cantonment Magistrate shall, as far as practicable, keep a record of every final order assued by him in his official capacity

#### Cantonment Servants

Number and estates of serrants of cantenment aginor ty

and salaries of

18 (1) With the new one con ton of the Off a flow 2 1 7

the contonment
of the Cantonm

XY of 1910

. . .

(2) Every elteration in the number of such servants or in their valuries shall be subject to the sauction and control aforessed

#### Hegister of menial server of canonment authority

49 The Cantonment Magastrate shall maintain such public register of menial servants employed by the cantonment authority as may be instituted by that authority

#### Appointment and expersision of errants of contonnent authorite

- 20 The Cantonment Magnetrate shall—
- (a) appoint all servants required by the cantonment authority,
- (b) apportion control and superintend the performance of the duties of all such servants.
- (c) disburse the salaries of all such servants, and
- (d) deal with applications from such servants for leave of absence
- Provided that no person shall be appointed under this section who has been dismissed for misconduct from employment under any other cantonment or used sutherity, or sny Department of the Government

#### Parkstonen th seresate of castonment sathority

21 The Cantonment Magnitrate may, for reasons to be recorded by him in writing, fine, suspend, dismiss or reduce to a lower grade or salary say servant of the cantonnesh ruthority

Provided, first, that no fine so imposed shall exceed one week's salary of the servant fined.

Provided, secondly, that the Cantonment Magnetrate shall submit to the cantonment authority a monthly list of all such fines, suspensions, dismussals and reductions

Penalty for contracting in their data gersons amployed by, or contracting with the amotoment authority

22. Whoever obstructs or molests any person employed by the canton or for Ben see III.

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#### (Chapter III .- The Contonment Magistrate and Contonment Servants -Sections 23 26 )

Whoever, being a sweeper employed by the cantonment authority, in . -3-4 t reason without r refuses

> isonment - and from a

1. with re employed the public

## health or safety

Explanation —In this section the word "sweeper" includes any mental employed by the cantonment authority in the removal or disposal of filth or rubbish

(2) No security shall be accepted other than a deposit of-

. ..

- (a) cash, or
  - (b) Government securities, or
  - (c) shares in the Bank of Bengal, the Bank of Madras or the Bank of Bombay, or
- (d) debentures or other securities for money issued by or on behalf of a local authority

Ezplanation —In this section the words "deposit of cash" include savings bank deposits if piedged to the President of the Canoniment Committee, or where there is no such committee, to the Commanding Officer of the cantonment

25. On or about the first day of January in each year, the Cantenment Appeal report Magnetrate shall submit to the cantenment authority a report as to the sufficiency ciency of the security furnished by or on behalf of its servants

of security furnished

rocedure in aling with oneys and .sportted.

Provided that no such moneys or securities as aforesaid shall be delivered np,-

- (a) if deposited by or on behalf of a servant of the cantonment authority, until after the lapse of such time after the death of, or the vacation of his office by, such servant as the cantonment authority may direct. or
- (b) if denouted by or on hehalf of a contenton at -

(Chapter IV -Cantonment Fund -Sections 27 29)

#### CHAPTER IV

#### CANTOVMENT FUND

Sums to le rantonment fund

Credits to Fund

- 27. There shall be placed to the credit of the cantonment fund the follow ing sums namely
  - (a) all sums directed by section 19, sub section (1), of the Cantonments Act 1910 or by or under any other enactment for the time being X4 of 1910 in force, to be placed to the credit of that fund, and
  - (b) all grants in aid and other sums received by the cantonment authority n and of that fund

Grants in aud

- 28 (1) The Secretary to the Government of India in the Army Depart ment shall, from time to time, intimate to the Officer Commanding the Divi eion the annual sum (if any) which will from time to time be placed at his disposal by the Government of India as a grant in sid to the cantonment funds in his Division
- (2) The Officer Commanding the Division shall distribute the said sum among the said cantonment funds in such proportions as he may think fit Application of Fund

Purposes to ent fund may esphied.

29 (I) The cantonment fund may be applied to the following purposes within the captonment namely -(a) the payment of any expenses directed by or under any enactment for

- the time being in force to be debited to the fund,
- (b) the payment of such allowances to officers performing the duties of Lantonment Magistrates, as the Commander in Chief in India with the concurrence of the Local Government may determine,
- (c) the provision and maintenance of an office for the contonment author ıty,
- (d) the payment of the salaries of the contonment establishment, or any contribution to a provident fund on account of any member of that establishment,
  - (e) the survey of buildings and lands, the management and improvement of lands and other property placed by the Covernment under the management of the cantonment authority, including-
    - (i) the construction and maintenance of streets (other than those maintained from Imperial or Provincial funds),
    - (ii) the lighting, watering and cleansing of streets, and (iii) the maintenance of public parks and gardens and the planting and tending of trees.
  - (g) the provision and maintenance, or the aiding, of hospitals, dispens aries and schools and the contention of patients to and from
    - (i) the pay of the public conserrancy establishment, (a) the construction of public latrings and other consurvancy works, and
    - (us) the purchase of all necessary conservancy carts, utensils and other appliances.
    - tary condition.

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#### (Chopter IV -Contonment Fund -Sections 30 33)

- (I) the burnal, burning or other lawful disposal of the corpses of projects and naknown persons.
- (m) the abatement of nursances,
- (n) the taking of a censua, and
- (c) generally the payment of all expenses incorred under this Code or any other rule or law for the time being in force

#### Fairmates and Sonctions

- 30. No money shall be paid from the cantonment fund unless the expend:

  \* 10 either—

  \* 10 either ture is eithersanctioned
  - (a) provided for in the sanctioned budget estimate, or by re appropriation under section 33, or
  - (b) sanctioned by the Officer Commanding the Division, and
  - (c) in the case of axpenditure on Public Works, unless detailed estimates have been prepared and annetioned
- 31. The entonment authority shall, under the direction of the Officer Responsibility Commanding the Division, be responsible for administering the funds pro for samilative yield in the senetioned budget estimate or sanctioned under section 30 109 funds. clause (b)
- 32 (1) On the first day of June in each year, the Officer Commanding the Division may direct shall submit to the Officer Commanding the Brigad the Division, as the case may be, a budget estimate any grant-in aid) into, and expenditure from, the M 76 6 2 4 4 4 4 6 19 6 5 - 3
- (5) The Officer Commanding the Brigade may revise the budget estimate and shall submit it to the Officer Commanding the Division
- (4) The Officer Commanding the Division may sauction the budget estimate with or without modification
- (5) The sanction of the Officer Commanding the Division to the budget estimate shall be communicated by bim to the Officer Commanding the Brigade and the cantonment authority
  - 33. (1) The cantonment authority may-

He-eppropria

(a) with the previous sanction of the Officer Commanding the Division. re appropriate any anm from one major head of the budget estimate to another

#### (Chapter IV -Cantonment Fund -Sections \$4.36 )

- (b) with the previous sanction of the Officer Commanding the Brigade, or Officer Commanding the Division, as the case may be, re approprints any sum from one minor head or sub head of the budget estimate to another minor head or sub head under the same major head, or from one major head to another
- (2) A copy of every order made under ech section (1) (b) shall be sent by the Officer Commanding the Brigade to the Officer Commanding the Division

Provided that no allotment to any major head shall, by re appropriation, be avaired by more than 10 per cent of its original amount, except with the previous sanction of the Odicer Commanding the Division also

## Payments

Examination and order for payment of claims

- 34 (1) Every claim for payment from the cantonment fund shall be sup ported by a voucher duly receipted and (if necessary) stamped, and shall be presented -
  - (a) to the President of the Cantonment Committee, or,
  - (b) if so directed by the Officer Commanding the Division to the Secre tary to the Cantonment Committee, or,
  - (c) where there is no Cantonment Committee to the Commanding Officer of the cantonment

## ~~

### Payments how to be made

Chrques

- (3) If payment is to be made from the imprest, the order for payment shall be 'Pay in cash rupces (in words)," and, if payment is to be made by cheque, the order shall be "Pay by cheque No, dated in words)," the hintsk being filled up when the cheque is signed 38 Payment shall be made,-
  - - (a) if the sum to be paid does not exceed twenty rupees, in cash, and, (b) if the aum to be paid exceeds twenty rupees, by cheque
- 36 (1) Money may be drawn from the cantoument fund only by means of a cheque written in Form 4 in Schedule I
  - (#) Every cheque shall be eigned as follows -
    - (a) where there is a Cantonment Committee,-
      - (1) if the sum to be paid does not exceed five hundred rupees, by the Secretary, or,
      - (ii) If the sum to be paid exceeds five hundred rupees, by the President.
  - (5) where there is no Cantonment Committee, by the Commanding Officer of the captenment
- (3) Cheques drawn in favour of a Government officer shall be made payable to order, and cheques drawn in lavour of any other person shall be made pay able to bearer
  - (4) All cheque forms shall be bound in books with counterfoils
- (5) Every cheque book shall hear a number, and each officer authorized by sub section (2) to sign cheques shall notify to the treasury the number of the cheene hook which he from time to time brings into use
- (6) On each chaque form there shall be entered the number of the chaque hook in which the form is contained, and a consecutive number
- (") There shall be noted on the outside of each cheque hook an order for its personal custody under lock and key by the officer who is authorised to use the

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#### The Cantonment Cods, 1912

#### (Chapter IV -Cantonment Fund -Sections 37 42)

the death, a series of a series of the serie

(8) No cheque shall be current for more than three months from the date on which it was drawn After the expiration in that period payment will be refused at the treasury, and it shall be necessary for the person in whose

st has not already done so Impract rupees, or, if the Officer Impract urrence of the Accountant ndred rupees, to form an

38. Overdrafts on the cantonment fund shall be allowed only if sanctioned Overdrafts by the Officer Commanding the Division.

#### Receipts

39 (1) All moneys received for credit in the contament find shall have a contend in a register of receipts, to be directly or through a submislay regis and and fines, shall be acknowledge schedule.

#### register

40 The cantonment authority shall be responsible for making such Responsibility arrangements as will secure—

(a) that all moneys received for credit to the cantonment fund are duly receipts

- brought to credit in the accounts,
- (b) that all moneys so received, with the exception of grants in aid and fines, are duly acknowledged by receipts in the form prescribed by section 39, or by chalans duly receipted by the Treasury Officer, and
- (c) that, whenever a receipt is given, the foil and counterfoil are duly filled up

## Account of the Imprest

the treasury by cheque

#### Bills for Expenditure

42. (1) Every item of expenditure shall be entered in a bill of one of the Expenditure to following kinds, namely —

(a) an establishment pay bill—for the pay of members of the cantonment astablishment.

#### (Chapter IV -Contonment Punds -Sections 15 48 )

- (b) a travelling allowance bill-for the travelling allowances of members
- of the cantonment establishment, or (c) a contingent bili-for all charges other than the pay and travelling allowances of members of the cantonment establishment.
- (f) Every establishment pay bill and every travelling allowance bill shall be prepared in the form for the time being prescribed by the Civil Account Code
- (5) Every contingent bill shall contain full details of the charges incurred 43 (1) Claims for supplies or services by contractors or tradesmen shall be

#### Clauma by contractors or

- paid on bills presented by them (2) Where any such claim as aforesaid is paid by cheque the payment shall be at once entered in the register of payments, and, where it is paid in cash,
- the payment shall be entered in the imprest register (3) Where a contractor or tradesman presents his bill in the vernacular, a
- brief abstract shall be endorsed thereon in English, stating the amount, the name of the pajee and the nature of payment in the terms prescribed by trucks 9 (6) of the Cavil Account Code

## Patty charges to 1 Inprest

- 44. (1) All petty charges to be met from the imprest shall be entered in be mee from the bills prepared in the form for the time prescribed by the Civil Account Code (2) Such bills as aforesaid shall be supported .-
  - (a) in the case of a payment for a telegram or of any other sum exceeding ten rupees by the original voucher on which the payment was actually made, and
  - (b) in other cases, by a certificate that the receipts of the payees have, as far as possible, been obtained, and have been so destroyed, defaced or multisted that they cannot be used again
  - (3) The certificate referred to in clause (b) of sub section (3) shall be signed by the Secretary to the Cantonment Committee, or, if there is no Cantonment Committee by the Commanding Officer of the cantonment.

## Charges to ur ted direct by captopment authority

- 48 (1) All charges incurred direct by the cantonment authority and paid by cheque shall be entered in bills prepared in the form for the time prescribed by the Civil Account Code
- (3) The following certificate shall be recorded at the foot of every such hill and signed by the Secretary to the Cantonment Committee or, if there is a Cantonment Committee, by the Commisting Officer of the cantonment, namely --
- Learlife that the appendicance charged in this bill could not, with due regard to the interest of the capto most be avoided I have satisfied imposit that the charges entered in this bill have really been paid."
- (3) In the case of expenditure on Public Works, the usual completion certs ficate shall be furnished

## Intro of Cheques in Accounts

### Entry of pay epecas. Deduction of amount of can celled cherace.

- 46 All payments made by cheque thall be entered in the requirer of payments, the conchers being numbered in a monthly consecutive series
- 47. Where a cheque is cancelled, the amount thereof shall be deducted from the expenditure by a minus entry in the appropriate column of the register of payments. The deduction shall then pass into the cash book through the deliy total of payments extract into it.

## Accounts and Returns

Cash look

as The cantonment authority shall keep a each book in Form 7 in Sched ule I The cash book shall be halanced monthly, and the balance shown in it

(Chapter IV -Contonnent Fund -Sections 1951)

reconciled with that shown in the pare book, to be kept in Form 3 in the said achedule as follows ---

111-				
	Amount of Imprest			
	Money received	tu late	for remittance t	٠
			Total	
Delad	-Outstanding che;	ner as pard	letaile be on -	
	Balance sa per cash book			
	Cheques outstanding on			
	<b>\</b> 0	Date	Amount	

49 (1) In the regulers of recupies and payments the amounts sanctioned fairs pteudare in the budget estimate for the year shall be entered at the top of the columns estimate for the heads for which separate estimates are made

given of regular and payments.

28 TTL demark y w m depatemby to heaven generally a server of the fit shaped to heave the form as a shape metal of the server of the world of the server of

(2) Where the grand total under any head in the register of payments shows that the budget grant is likely to be exceeded, application shall strong be made for orders under section 30, claure (b) or section 33 as the circum stances may require, to cover the excess

51 (1) The accounts of the cantonment fund will be audited locally by Audit of

(2) The Examiner or Impector of Local Fund Accounts will submit a report on the audit to the Accountant General who will floward copies thereof with semarks to the President, Cantoniment Committee the Officer Commanding the Division and the Quartermaster General in India for necessary action

The audit report should contain the following certificate -

\*\*Certified that a copy was kept in my uffice of the annual account for the year submitted to the Officer Commanding the Division, with my endorsement No dated and that the account has been compared with local records and found correct subject to the following remarks.

#### The Contoursent Code, 1912

(theorer 11 -Centenever Fund -Sertions 5°-55)

(5) The Examiner of Inspector of Local Accounts will inspect the caution of audits a of the conditions.

- (i) All cases of fraud or embezsiement should at once be reported to the Accountant teneral who will at his discretion depute an auditor to investicate into the a and report to the Officer Commanding the Division the result of
- the enquire  $Fx \in \mathbb{N}^n$  . The proview is of this section do not apply to the Aden canton ment fund the secunits of which are audited by the Accountant General, Bombas

Annual च्लाब्स है देशको अट च्ला र

- 52 () The intenment authority shall prepare annually a convolidated a young showing the except is into and parments from the cantonment fund, lassified under the major heads runor heads and sub-heads contained in the monthly accounts.
- (\*) The total of the details under each head of receipts and parments, as given in the consolidated account shall agree exactly with the figures appearing activit the entire. From lat lipid to date, under the same heads in the respective regulers.
- (5) The consolidated account shall be forwarded in duplicate to the Examiner or Impector of Loral Accounts who will compare the two copies and forward can copy to the Officer Commanding the Division returning the other copy in his own office for check by the local auditors during audit with a new to furnishing the retrieval of correctness.
- Except in.—The provisions of sub-sections (2) and (3), so far as they relate to the local audit of accounts, do not apply to the Aden cantenment fund

#### Cleve feation.

Classification of precipes and expendient

- 63 (1) All receipts into, and expenditure from, the cantonment fund shall be classifed, in the monthly and annual accounts, in accordance with Form 8 in Schedule 1
- (2) All expenditure shall be elsewhed in the monthly accounts under the appropriate major head, muor beeds, and sub-leads with reference to the

Figi motion — Every permanent advance to a cantonment fund receiving a grant in-sid under season CS, shall be field outstanding in the military secounts until the fund becomes self-supporting and the advance shall then merely be shown as a balance in the hands of the cantonment authority

#### Remst'ance to Treasury and Pa & Book

All mosers to be remitted to treasers Procedure for rem transce to treasers

- 84. The contourert authority shall result to the treasury all moneys received for credit to the cantourpoint fund.
- 55 (1) Resultances to the treasury may be made either daily or weekly as may be most convenient
- Provided that all moneys in hand on the last working day of each month shall be remitted on that day
- (\*) Every remittance shall be accompanied by a chalan or invoice and by the pass book.
- (5) Where a remittance is made, the officer in charge of the treasury shall forthwith acknowledge its receipt in an exity in the pass book and shall order on the charge ride of the pure book part rolars of cheques paid up to date as recorded in his regular.

## (Chapter IV -Cantonment Fund -Sections 66-59 Chapter V -Contracts -Sections 60-61 1 (4) The pass book shall be sent to the treasury on the last working day of

- each menth, whether or not there are any moneys to he remitted to the treasury on that day The officer in charge of the treasury shall then close the pass book for the menth, and enter therein in words the balance in hand. signing the entry. 56. (I) The cantonment authority shall from time to time examine the Supervision of
- 56. (1) the cancomment authority shall not the officer in charge of the pass book by pass book and shall forthwith call the attention of the officer in charge of the pass book by pass book by pass book and shart tottawan can the between the credits or debits shown contonne treasury to any discrepancy appearing between the credits or debits shown gatherity therein and those shown in its registers
  - for The need that shall be marting month to the officer in charge of the nd ne entries or marks by any member of the

#### Abstract Statements of Estimated and Actual Income and Expenditure

- 58. The Officer Commanding the Division shall forward to the Oovern Abstract state ment of India in the Army Department, through the Quarter Master General ments of in India ectual income
  - (a) an abstract statement of the estimated income and expenditure from the several cantonment funds in his Division, and,

\*atement int and

иш ине balance as shown in the treasury pass book and found to he correct

#### Submission of proposals as to taxation

59 All proposals made by the eantonment authority for the imposition Submission of ibolition or modification of any tax shall be submitted to the Officer Com proposaless to manding the Division for transmission to the Local Government

#### CHAPTER V

#### CONTRACTS

50. Every contract made by the cantonment antherity shall be executed Contracts by on its behalf by the officer authorized by the Governor General in Council so to whom to be execute it under section 2 of the East India Contracts Act. 1870 \*

61 No lease or other contract, which is to remain in operation for more Sanet on than twelve months, shall be executed on behalf of the cancionment enthernty regime to secution of without the previous sanction of the Officer Commanding the Division

Provided that where any such lease as aforesaid is a lease of land, the remain in operasanction of the Officer Commanding the Division shall not be given without the then twelve concurrence of the Local Government. months

\* As to the officers authorised under this Statute to execute contracts see the following Resolution of the Government of Ind 2 in the Heme Department namely -

No. 1430-1450 (Judicial) dated the 9th October, 1911-Supplement to the Gazette of India, 1911

(Chapter 1 -Contracts -Sections 67 68 Chapter VI -Nuisances and Santation -Section 67 )

Referen e to Executive Faginter prior to execution of cantracts for Wathe

62. No contract for the execution of a work shall be executed on behalf of the cantonment authority unless it has been examined and approved of by the Executive Engineer

Sanction of Cantonment

required o

to tal e

ex catton of contracts exceed ng one

Provided that where a work is estimated to cost not more than five hundred rupees the contract shall not be referred to the Executive Engineer unless the cantonment authority so directs

Committee or Of er Commanding Canton nt

64 Every contract

63 The officer authorized as provided by section 60, shall not execute on behalf of the cantonment authority any contract the value or amount of which exceeds one hundred rupees without the previous aunction of-

(a) the Cantonment Committee, or

 $\{h\}$ 

handred tupees Provided that in case of urgency where there is a Cantonment Committee the officer authorized as aforesaid may with the previous canction of the President of the Contonment Committee, execute on behalf of the Contonment Committee any contract the value or amount of which exceeds one hundred rupees but does not exceed two hundred rupees, and shall in every such case submit to the Cantonment Committee, at its next meeting a report of his action and of the reasons therefor

torm of coa

tracts exceed my fift rapper in value

Security for falsiment of

CODIFFEE

the fulfilr or any pa

(2) Wh want socurity is required under sub section (1) it shall be of the nature specified in section 24, sub section (2), and shall be of such amount as the cantonment authority may think fit.

(5) Where any security required as aforesaid has been given, the contract shall not be executed unices-

(a) it contains a clause specifying the nature and the amount of the security required, and

(I) any sum directed to be deposited has been lodged with the canton ment authority

Saving of leases for building dites

Offeness in

road or public

Nothing in this Chapter shall apply to any leave of land for the pur 66 poses of a building site

# CHAPTER VI Vanabces.

1 .1

#### NEISANCES AND SANITATION

67 (1) Whoever,---(a) in any street or public place within the cantonment,-

(i) is drank and I

(n) . .

(111)

(14) begs imports nately for alms, or

#### (Charter VI -- Numances and Sandalian -- Section 67.)

- (v) exposes or exhibits, with the object of exciting charity, any deformity or disease or any offensive sore or wound, or
- (vi) carries meat exposed to public view, or
- (vii) is found gaming, or
- (viii) pickets animals or collects carts, or (ix) being engaged in the removal of night-soil or other offensive matter or rubbish, neglects to sweep away or otherwise
- matter or running, neglects to sweep away or oncervise effectually remove any portion thereof that may spill or fall (2) without proper authority, affires or cames to be affixed any hill, notice or other document upon any huilding, monu ment, post, wall, fence, tree or other thing, or (11) without proper authority, defaces, or writes upon, or otherwise
- marks. any huilding, monument, post, wall, fence, tree or
- other thing, or (xu) - 12
- (x111) he piece, or
- (xii) carries a corpse, or causes the same to be carried, without keeping it decently covered, or without taking due pre
  - public notice, or in any pattern of cart or receptacia which has not been approved for the purpose by the cartonment authority, or who fails to close such cart or receptacle when in nee, or
- (d) having charge of a corpse, fails to bury, burn or otherwise lawfully dispose of the same within twenty four hours after death, or (e) makes any grave, or hurses or burns any corpse, at an unauthorized
- place. or (f) having entered or used a public conveyance under the circumstances or for any of the purposes mentioned respectively in section 185 fails to disinfect the same to the satisfaction of the cautonment
- authority, or (g) keeps or uses, or knowingly permits to he kept or used, any place as a
- (1) hy singing, screaming or shouting, disturbs the public peace or order-
- (1) discharges firearms or lets off fireworks or fire-balloons, or flies kites. or engages in any game, in such a manner as to cause or be likely to cause danger or amoyance to persons passing by or dwelling or working in the neighbourhood, or risk of injury to property, or

#### (Chapter 11- Vuisances and Sanitation -Sections 68-69)

- (t) lets loose any horse or other animal so as to cause, or negligently silons any horse or other aremat to -alarm or /m) su (n) but -- sewes, worry or put in
- 20, nostact can (a) being the occupier of dies neglects u
  - MALES BUILTISS. otherto report the death to the firms --

tanta una per receipt

(p) except with the written permission of the contonment authority, stores or uses night soil, manure, rubbish or any other substance uniting an offensive smell, or

(q) uses or permits to be used as a latrine any place not so meant to be uned . shall be punishable with imprisonment for a term which may extend to

eight days, or with fine which may extend to fifty rupees.

(f) Wheever does not take reasonable means to prevent any child under the ago of twelve years in his charge from event himself in any street pr public place within the cantomient, shall be pumphable with fine which may extend to twenty fire rupees.

68. (1) The cantonment authority, by any person authorised by it in this Contra Destruction of behalf, may-(a) destroy or cause to be destroyed, or confine, or cause to be confined, 1931, a

for such period as the candonment authority may direct, any dog as an anifering, or responsibly suspected to be suffering, from rabies, or revolution to the number of the party dog or other animal suffering or suspected as afore Act to said : de ma e mare neche desert

- --- - dog destroyed or other-

## . " includes a hut, shop, Santation

Dietelon of responsibility

stray dogs at

inda.

as. The following officers shall, for the nurross of anni-a' control over, and he man-

(Chapter 11 - Austances and Sanstatson - Sect ons "0 75)

- (d) the head of any other Wilitary or Civil Department occupying as su h any part of the cantonment-all blocks of buildings workshops and other places used by establishments under his charge
- (c) the Cantonment Magistrate-the Sadar Bazar, all roads and all other parts of the cantonment not under the control of any officer men tioned in clause (a), clause (b), clause (c) or clause (d)

Weekly sanitary rsport

71 The Sanitary Officer shall exercise a general sanitary supervision over General duties the whole cantoment shall report every insultary practice and every in Office and the whole cantoment shall report every insultary practice and every in Office and the officer reportship under action 69 and to the cantoment authority, and shall attach to his report such recommendations for the temedy of the same as he may think fit

72 The Cantonment Magistrate shall subject to the other provisions of Contonment Megistrates this Code and the control of the cantonment authority -

dotles in respect of sanitation

- (a) make, and enpervise the carrying out of, all errangements (including the provision and maintenance of a sufficient number of animals, vehicles receptacles and implements and of places for keeping the same) necessary for-
  - (1) the removal of night soil and other offensive matter and

- (ii) the surface cleans ng of all streets and the watering thereof and
- (iii) the maintenance in a sanitary condition of public and private

#### section 69.

- (b) make frequent inspections of all parts of the cantonment with a view to ensuring that all orders of the cantonment anthornty on sometary matters are duly obeyed and that the public conservancy establishments satisfactorily perform their dities, and
- (c) take all necessary steps for remedying any defects in the sanitary condition of the cantonment of which he may become aware and for which funds can be provided

73 (I) So figs as the funds at its disposal permit the cantonment author rity shall provide and maintain a sufficient number of public latrines and minutals, with all necessary conservancy establishments

(2) Such latrines and urinals shall be placed in proper and convenient tonerrance situations as near as circumstances admit to the dwelling places or places of resort of the persons for whose use they are intended

Provided that, except with the previous sanction of the Officer Command ing the Division no latrine or urinal shall be placed within 6fty feet and no trench latrine shall be placed within two hundred feet of any inhabited b ulding

and urinale and

#### (Chapter VI -Nusances and Sanitation -Sections 7477)

(3) Separate latrines and urinals shall ordinarily be provided for males and females, or, it say latrine or urinal is provided for the use of both series, separate divisions shall be provided for each say, and each such latrine, urinal or division shall be marked as being for the use of men only, or women only, as the case may be

Piractions as to provision of public latrines and estat link ments therefor

- 74 (I) In providing public latrings the cantonment authority shall observe the following directions, namely -
  - (a) such number of laternes shall be provided as will admit of there being one compartment for the use of every fifteen adults using the latrines.
  - (b) no latrine shall be constructed for the use of more than five hundred adulte,
  - (c) every late no athrothem dam 1 1 s
  - (d) for every latrice, other than a trench latrice, there shall be provided.≃
    - (i) for the cleansing thereof, sweepers in the proportion of not less
    - than one for every hundred adults using the latring, and (ii) for the removal of night soil therefrom, air tight iron filth cats in the propertion of not less than one for every five bundered adults using the latine, or, where cirk cannot be used, sweepers in the proportion of not less than three for every five hundred adults using the latine, and
  - (e) for every trench latrice there shall be provided digging sweepers in the proportion of not less than one for every two hundred adults using the latring

Provided that if in any case it is impracticable, owing to want of funds or for any other sufficient reason, fully to observe the foregoing directions, the Officer Commanding the Division may declare the extent to which they shall be observed

(#) No public latrine shall be constructed or rebuilt except on a plan approved of by the Officer Commanding the Division

Receptucles or places for tem porary deposit matter en i

Places for dis possi of offen sive matter and rubbieh

Cesspools receptacles for nith ste

- 75 The cantonment authority shall, whenever necessary, provide and maintain in proper and convenient positions receptacles or places for the temporary deposit of offensive matter and rubbish. 76 The cantonment authority shall appoint places for the disposal of
- me bt soil, carcasses and other offensive matter and rubbish
  - 77. The Cantonment Megistrate may, by notice in writing,-
    - (d) require any person having the control, whether as owner, lessee or occupier, of any land or building,-
      - (1) to close any offensive cerspool belonging to the land or build ing, or
      - (u) to provide a receptable (of a pattern if any, approved of by the cantonment authorist for fifth or sullage water accu-mulating on or in the land or building, or
      - (iii) to keep in a cleanly condition (in such manner, if any, as may be prescribed by the notice), any receptacle provided for such fifth, or
      - (iv) to prevent the water of any private latrine, urinal, sink or bathroom, or say other offeneve matter, from scaking, draining, flowing or being put from the land or building upon any street or public place or into any water course or into any drain not intended for the purpose, or

#### (Chapter VI -Nuisances and Sanitation -Section 78)

- (b) require any person who has the control, whether as owner, lessee or occupier, of any land or huiding, and has allowed any offensive matter or rubbish to accumulate at remain thereon or therein, to collect the same and deposit at, for removal by the public control of the control of the removal by the public control of the removal by the public control of the removal of the presence of the removal of the presence of the removal of the presence, as may be specified in the notice, or
- (c) require ony person to desist from making or altering any drain leading into a public drain, in
- (d) require any person who is creating or likely to create a nuisance by-

to desist therefrom, or

- (c) require any person having the control of a drain to remove, within a period to he specified in the notice, any obstruction from the same, or to cleanse, purify, repair or alter the same or otherwise put it in good order, or
- (f) require any person, being the owner, or having the control of any well, to disinfect or otherwise purify the same or protect it against contamination, in such manner and within such period as may be specified in the notice
- 78 The cantonment authority may, by notice in writing,-

Private latrines

- (a) require the owner or other person having the control of any private a latime or urinal net to put the same to public use, or (b) where any plan for the construction of private latines or urinals has been approved of by the cantenment authority and copies thereof may be obtained free of charge on application,—
  - (i) req

that plan, or

- require any person having the control of a private latrine or urnal to rebuild or alter the same in accordance with that plan, or
- (c) require the owner or other person having the control of any private

etood, or

(d) require any person baying the control, whether as owner, lesses or occupier, of any land or building

the land or building, or

(c) where any land or building is situate within one hundred feet of a

(Chapter 11 -Nurances and Sanitat on -Sections 79 83)

- (/) require any person who is constructing or laying a drain, to obey any directions which the contonment authority may, on the advice of the Executive Engineer think fit to give in order to ensure the completion of the work to its situation or
- (g) require any person, being the owner and having the control of any drain to provide and apply to the same within ten days from the service of the notice such covering as may be specified in the notice

Provision of latrines etc

#### huilding or land

(2) The cantonment anthority may by notice in writing require any person employing more than twenty workmen or labourers to provide such latrines and urinals as it may think fit and to couve the same to be kept in proper order and to be daily cleansed

Employment of 80 (I) The cantonment authority may provide for the performance by corpublic success. Its agents of the duties usually performed by sweepers in respect of any huld 3/12

ing or land or of any latine vernal occupion or other receptable for fifth Act it
or callage water pertaining to any building or land with it consents of the full
occupier of the building or land, or without such consent where the occupier is in

fails to make grangements to the satisfaction of the cantonment authority for the performance of such dittee (2) Where the contonment and only has provided for the performance by

Removal of non

its agents of the duties referred to in this section all matter removed by such agents in performing such daties shall be at the disposal of that authority

61 The cantenment authority may by note on writing require the owner lesses or occupier of any lant to clear a say and remove any thick or noxious vegetation or undergrowt! which appears to it to be injurious to jous regetation. health or offens se to the neighbourhood

Filling up of tank or merche ground or drain ing off or remor al of staguant water

the case may be

Provided that reasonable to thr may with the pr quire hun to pay no 111 Where 4

Removal of avererowded

- (a) the Sanstary Officer,
- (b) the Civil Surgeon of the district or if his services are not avail able some other medical officer of the Government and
- (c) the Executive Engineer or some person deputed by the Executive Fugureer in this behalf

12) 7 writing to the cantonment author and if it considers that the or use rick of disease to the dedne hood or to endanger the

(Chapter VI,-Nussances and Sanitation -Sections 34 87)

public health, it shall clearly indicate, on a plan verified by the Executive Engineer or by the person deputed by bim to serve on it, the buildings which should, wholly or in part, be removed in order to shate the nahealthy condition of the block

(3) If upon receipt of such report, the cantonment authority is of opinion that all or any of the buildings indicated should be removed, it may, by notice in writing, require the owners thereof to remove them:

Provided, first, that the cantonment authority shall make compensation to such owners for any buildings which may bave been erected under proper authority; and

1 ay, if it appears to it such owners such sum which may not have

Explanation -In this section, the word "buildings" includes enclosure

walls or fences connected with buildings

that any building used islantion of health of the immates sumber of sentence o

he can that building
within a barspaired or
ke such to remove
sunitary defects

(2) A copy of every notice usued under sub-section (1) shall be conspicuously posted on the building to which the notice relates

Explanation —A notice issued under sub-section (1) shall be deemed to have been complied with if the owner of the building to which it relates, has instead of executing the repairs or making the alterations directed by the notice, removed the binding

notice

All The characteristics of the control of the contr

Constine.

(Chapter 111 -Control over Streets, Buildings, Lands, Trees, etc -Sections 83 92 1

# CHAPTER VII

CONTROL OVER STREETS, BUTLDINGS, LANDS, TREES, ETC.

Streets and Buildings 88 The cantonment authority may attach in the outside of any building [Cf brackets for lamps in such manner as not to occasion any injury thereto or 1863.] Power to stiach brackets for lamps. поспасниемсе

89 The cantonment anthority may, by order in writing, permit the Temporary occupation of street land etc and all was all a pro-Numes of sireets

or puts up any name or number differing from that put up by order of the canionment authority shall be punishable with fire which may extend to next authority small or remaining may, by public notice, direct that within [67]. The cantonment authority may, by public notice, direct that within [67]. twenty runees

Loofs and pot to be made of inflammable ateriale,

end aumbers of . buildings.

notice of new brild nes

NI, intends to erect or re-creet any building shall give notice in writing, in li-the manner hereinafter prescribed of his intention to the contonment authority and the contonment authority may within air weeks after the receipt of the notice, refuse to sanction the building or may sunction it eithet a writing

(0) (c)

may consust. (d) the provision and position of drains, Istrines, jurinals, cesspools or other receptacles for fifth.

(e) the level and width of the foundation, the level of the lowest floor

and the stability of the structure,
(f) the line of frontage with reighbouring buildings, if the building abots
on a street, and
(g) the means to be provided for egress from the building in case of fire,

and the person erecting or re erecting the building shall ubey all such written directions

Provided that the cantenment authorsty shall make full compensation to the namer for any damage which he may sustain in consequence of its prohibi tion of the re-erection of any hailding, or of its requiring any land belonging to him to be added to the street

use the building

(5) Where any building is begun or erected without the giving of the mutice and the submission of the plans and specification required by this see

(Chapter VII -Control over Streets, Buildings, Lands, Trees, etc - Sections 93 95)

tion, or in contravention of any order of the cantonment authority issued within aix weeks of the receipt of a valid notice thereinder, the cantonment suthority may, by notice in writing, to be delivered within a reasonable time, require the building to be altered or demolished as it may think necessary

(4) Where the cantenment authority neglects or omits for air weeks after the recept of a valid notice under this section to make end deliver to the person who has given the notice, any order in respect thereof, it shall be deemed to have sanctioned the propoved building absolutely

(5) Every sanction for the erection or re-erection of a building given or

Provided that no sanction under section 92 shall act as a har to say proceedings under sections 77 to 87

Explanation -In this section the expression "erect or recreet any huiding" includes -

- (a)
  - (c) 1
  - (d) greater number of such places,
  - (e) ~ (f) •

...

- (7) the addition of any rooms, bummings, out nouses of outer structures to any building
- 93. (1) The owner or occupier of a building shall not, without the permis Projections and against or in obstractions

g. projecting or aqueduct

(2) The cantonment authority may, by notice in writing, require the owner or occupier of any building to alter or remove any auch projection or encroach ment as a foresaid.

Provided that, in the case of any projection or encroachment lawfully in as along at the commencement of the Lordy the contourest authority shall make reasonable compensation for any damage caused by the removal or alteration

94. The cantonment authority may, by notice in writing, require the Treebeam owner or lesses of any building or land in any street to put up and keep in Free for rain good condition proper troughs and pipes for receiving and carrying the water that from the haliding or land and for discharging the same so as not to inconvenience persons passing along the street

s. The candomnent authority may, by notice in writing require any translating appropriate pressure his base, without its permanent in writing, newly exceted or reserved buildings any building over any public sewer, drain, culvert, water-course or water pipe, dains, we to pull down or otherwise deal with the same as it may that of the dains, we will be some as it may that of the dains of the pull down of the writer building over all the same and the same as it may that of the same as the same a

### (Chapter VII .- Control over Streets, Buildings, Lands, Trees, ete -Sections 95-102.)

Powe to the grant of the production of the cantengant authority, for and of present of the cantengant authority, for wan of enficient settlements the production of the cantengant authority, for wan of enficient settlements are repair, protection or enclosure, as the case may be, dangerous to persons the second of the cantengant of the

Bulding, etc. ra rainous or dingerous state

97. Where any building, wall or etructure, or anything affixed thereto, or any bank or tree, is, in the opinion of the cantonment authority, in a rumous state or in any way dangerous either, in the case of an occupied building, to the occupier or to the public, the cantonment authority may, by notice in writing, require the owner or occupies thereof forthwith either to remove the

l'oner to require untenanted tailding or land becoming a red of enticeed.

38 The Lantonment Magnatrate may, by notice in writing, require the counter or particular, or etten claiming to be the owner or particular, or the let-co or person claiming to be the lesses of any building or land, or the let-co or person claiming to be the lesses of any land, which, by reason of abandonment or disputed ownership or other cause, has remained untenanted and become a resort of idle and disorderly persons or otherwise a nuisance, to secure or enclose the same within a time to be specified in the notice

### Boundaries, Trees, etc

HEDDAY - WALLS,

- 39 (1) The cantonment authority may, by public notice, prohibit the construction of boundary walls, hedges, or other feaces, of any material or description which is, so its opinion, unsuitable, unsightly or otherwise obsectionable
  - (2) The cantonment authority may, by notice in writing, require the owner or lessee of any land-
    - (1) to remove from the land any boundary wall, brdge or other fence which is, in its opinion, misuitable, unsightly or otherwise objection able,
      - (b) to construct on the land sufficient boundary walls, hedges or other fences of such material, description and dimensions as may be specified in the notice,
      - (c) to maintain the boundary walls, bedges or other fences on the land in good order

Explanation -In this section, the expression "boundary walls, hedges or other fences" includes all necessary cates and the posts or pillars thereof

Cations of trimming of 100. The Cantonment Magistrate may, by notice in writing, require the owner, lessee or occupier of any land within three days to cut or trum any hedges on the land in such manner as may be specified in the notice 101. No general felling of trees, and no general lopping or trimming of trees in a manner likely to cause permanent injury thereto, shall be ordered

General fell og trimmes of time.

by the cantonment authority without the Previous sanction of the Commanderin Chief in India. 102. (1) No tree of mature growth, whether standing in any private enclosure or not, shall be felled without the previous canction of the cantonment

Fel ag of trees of matere

authority. (5) Where, in the counton of the cantonment authority, the felling of any tree of mature growth standing in a private enclosure is necessary for saintary reasons, the cannoment authority may, by notice in writing, require the owner, lease or occupier of the laud to (cit the tire within a time to be specified in the potice

(Chapter VII -Control over Streets, Buildings, Lands, Trees, etc -Sec tions 103 107 Chapter VIII - Control aver bardis, Encamping grounds, Traffic, etc - Section 108)

103 The cantonment authority may-Power to regu (a) cause to he lopped or trimmed any trees atanding on land helong lopping or tr mming of

ing to the Government, or, (b) by public notice require all owners, lessees or occupiers of land, or, by notice in writing require the owner lessee or occupier of any 4 land, to lop or frim in such manner as may be specified in the notice all or any trees atlanding on such hand and to remove the dead trees from such land

104 (1) Where, in the opinion of the cantonment authority the culti Agriculture at vation of any description of crop or the use of any kind of mannre or the irr gation. arrigation of land in any specified manner is for any reason undesirable, the cantonment authority may by public notice prohibit such cultivation use or irrigation after a certain date to be specified in the notice

Provided that if when a notice is issued under this section any land to which it relates has been lawfully prepared for cultivation or any crop is sown therein or is standing thereon the cantonment authority-

is to take effect pay to any person interested in the land or crop

notice

105 The Cantonment Magnetrate may by notice in writing require the Improper use

to ita previous condition

106 Whoever without the pern is ion in writing of the cantonment author D gains up of ity digs up the surface of any public land shall be punishable with public land fine which may extend to twenty rupees

### Penalties

107 Whoever fails to give notice as required by section 92 (2) or fails Penalties

#### CHAPTER VIII

CONTROL OVER SARÁIS ENCAMPING-GROUNDS TRAFFIC, ETC. Sardis

108 (I) Every keeper of a sarái shall be bound -

Duties of (a) if to his knowledge any person in the sarsh is ill of any infectious or keepers of contag ous disorder or last died of any such disorder to make an arrive immediate report of the fact to the Cantonment Magistrate

- (Chapter VIII -Control over Sarais, Encamping grounds, Traffic, etc Sections 109 113 )
- (b) to maintain a sufficient supply of pure water for the use of per frequenting the sarái,
  - (c) to keep all parts of the sarat in a clean and sanitary condition, as
  - (d) to give any information which the Cantonment Magistrate may, notice in writing, require regarding-
    - (1) the boundaries of the sarái, and
    - (11) any matters affecting its management and condition
- (2) Whoever fails to give the Cantonment Magistrate any informs required under this section or wilfully gives him false information, shal punishable with fine which may extend to twenty rupees and, in the of a continuing failure, with an additional fine not exceeding five rupees every day after the first in regard to which he is convicted of having persu in the failure

Power to require report as to persons usung marál

- 109 (f) The Cantonment Magistrate may, by notice in writing, req-
- (2) Where a written report is required, the form in which the same is to furnished may be specified in the notice (3) Whoever fails to comply with any notice issued under this section

Power to close Bartis

.. 111 C -- 3 1

. . . .

Saving of Sardia Act, 1867

111. The provisions of sections 103, 109 and 110 shall not apply to a cantonment to which the Saráis Act, 1867, for the time being extends

# Encamping grounds, etc

a m ff) abolt he on 11 f and

Facemples grounds an I citching of tents

- 112. (1) No place in the cantonment shall be used as an entamping groun or for the pitching of tents without the permission in writing of the canto ment anthority
- (2) Such permission as aforezaid may be granted subject to any conditio which the contonment authority may think fit to impose with respect sanitary arrangements and other matters affecting the public health, safety convenience

# Markets and Slaughter houses

Sale in markets 113 No person shall in any market sell, or expose for sale, any article : Sale in markets
of articles unit
for human
consumption
liours during
which markets
may be kept lood or drink for human consumption which is unlit therefor 114. (1) The cantonment authority may, by public notice, limit the hour

during which any market may be kept open for public use onen. (2) A copy of every notice issued under sub-section (1) shall be conspic

nonsly posted in each market to which the notice relates

(Chapter VIII -Control over Sardis, Encamping grounds, Traffic, etc -Sec tions 115 120 }

115. The Sanitary Officer and the Cantonment Magistrate shall frequently Senitary Officer iuspect-

Magistrate to inspect markets

- (o) articles of food and drink for human consumption kept for sale in markets.
- (b) the water supply of markets;
- (c) the arrangements for the removal and disposal of offensive matter and rubbish from markets, and
- (d) all other arrangements for maintaining markets in a proper samitary condition

116. The cantonment authority may, by pinhle notice, prohibit the sale, or Power to pro-exposure for sale, of any animal or article, or class of animals or articles, in hibit or restrict sales in public sny public market

markete

,.,

- 117.
  - (a) that convenient passages have been provided between the shops, stalls, sheds or standings in the market,
  - (b) that a sufficient supply of pure water is provided for the market,
  - (c) that, in the case of a large market, one or more public latrines, at a distance of not less than fifty pards from the market, and one or more public urinals, according to requirements, are provided for the use of persons frequenting the market and
  - (d) that suitable arrangements are made for-
    - (1) keeping the market in a clean and samitary condition and removing offensive matter and rubhish therefrom,
      - (ii) the proper ventilation of the buildings and structures in the market, and
      - (iii) the proper maintenance of the public laternes and urinals (if any) provided for the use of persons frequenting the market.

118 No private market shall after the commencement of this Code, he New private market so be opened to public use until it has been licensed

licensed . . 0.3 .

119 (1 (a) by

1899, or,

(b) by public notice, the owners or the persons in charge of any class of such markets.

to furnish, within a time to be specified in the notice, any information which may be needed for the purpose of determining whether a license should be required for any such marker.

- (2) On the expiration of such time as aforesaid the cantonment authority shall determine, in respect of each market to which the notice relates, whether or not it is necessary to require a license
- (5) Where the cantonment authority determines that a license shall be required for any such market and a license therefor either is not applied for or is refused, the cantonment authority may, by notice in writing require the owner or the person in charge of the market to close the same until a license has been obtained

120 The owner or the person in charge of a licerard market shall be Duties of owners boundor persons in

- (a) to maintain convenient passages between the shops, stalls, sheds or markets. standings in the market.
- (b) to maintain a sufficient supply of pure water for the market.

(Chapter VIII -Control over Saráis, Encamping grounds, Traffic, etc -

- (c) to keep the market in a cleanly and sanitary condition and to remove all offensive matter and rabbish therefrom, and
  - (d) to maintain in good order any public latrices or urinals which may have been provided for the new of persons frequenting the market

l ower to sus rend or with draw licenson for markets

- 221 [1] Where the owner or the person us charge of a hecared market, commute a breach of any of the provisions of sections 114 and 120, the canton ment authority may, an addition to any pumshment which may be inflicted under this Code, by order in writing, suspend the license for any period to be specified in the order, or withdraw the hierase
  - (2) No market for which a license has been granted under this Chapter, shall be kept open for public use while the license therefor is suspended or after the same has been withdrawn.
  - stier the same has been withdrawn

    (3) A copy of every order made under sub-section (1) shall be conspicuously
    posted in the market to which the order relates

lingister of private markets

- posted in the market to unit the order vestes.

  122 The Cantonnent Magnetrate shall maintain a register of all private markets which have been heesed under this Chapter, showing—
  - (a) the date on which the license was issued, and,
  - (b) where the beense has been suspended the date and period of the suspension, or,
  - (c) where the hoense has been withdrawn the date of the withdrawal

Sell ng in parate market when become suspended or withdrawa the time therein a food for term whi rupees

Pestrictions on slanghtering without a i cease

- 424 (1) Subject to the provisions of sub-section (f) no period shall without or otherwise than in conformity with the terms of a liceuse granted by the Cantonnent Magastrate in this behalf, use any place as a sizinghter house of for the slaughtering of any cattle, sheep, goats or pigs intended for homan food.
  - (2) Nothing in sub section (1) shall be deemed-

(1) to restrict subject to such condit as the Cantonment Magnetrate, trict Magnetrate, may, by gene behalf, the slaughter of any a of any festival or ceremony, or

(ii) to present the Cantoniment Vajastrate, acting with the sanction of the cantoniment authority, from setting apart places for the sacrifice of animals in accordance with religious circtom and for the sale of flesh thereof. or

- (iii) to limit or otherwise affect the right to slaughter, in or upon private premises, a kid intended solely for domestic consumption
- (5) No fee shall be chargeable upon any license granted under this section

i e vallies for contravening section 124.

- (a) uses any place in contravention of section 124, or
- (b) omis to give any notice required by any order made in pursuance of such section (2), clause (1), of the said section,

2. 25. ....

shall be pumshable with fine which may extend to fifty rupees, and

(2) Whoseer, after having sub-section (1), clause (c) of sion of section 124, shall be which he continues so to offer rupees.

125. (I) Whoever --

ughter house Liemeing of

#### The Cantonment Code, 1912

(Chapter VIII -Control over Saráis, Facamping grounds, Traffic, etc -Sec

126 Where the cantonment authority has made or approved of any arrange Management o ments for-

slaugi ter-house

(a) passing and marking animals in a slaughter house as being suitable for slaughter, or

(b) regulating the admission into a slaughter house of persons carrying on business or trade or working for gain therein, or regulating the conduct of such persons therein,

the owner or the person in charge of the slaughter house shall not slaughter. or permit to be slaughtered, any animal therein, unless those arrangements are duly observed

127. (1) The cantonment authority may, by public notice, limit the hours during during which any slaughter house may he kept open for use and the slaughter which slaughter house may be of animals may be permitted therein kept open

(2) A copy of every notice issued under sub-section (1) shall be conspic uously posted in each alaughter house to which the notice relates

(2) A copy of every notice assed under sub section (1) shall be conspicuous by posted in the slaughter house to which the notice relates

payment of private being satis houses

- (a) that convenient passages have been provided between any pens, standings or yards in the slaughter house
- (b) that a sufficient supply of pure water has been provided for the slaughter house,
- (c) that sufficient drains have been provided

. ..

١--

170 700

- (d) that the premises are so enclosed as to prevent the interior being visible by passers by and
- (e) that suitable arrangements have been made for-
  - (1) keeping the slaughter house in a clean and sanitary condition and removing offensive matter and rubhish therefrom,
  - (ii) the proper ventilation of the buildings and structures in the slaughter house . (in) the proper maintenance of the drains and of any public latrings
  - and urante that may be required for the use of persons frequenting the slaughter house
  - (1v) the treatment of animals in the elaughter hone.
  - (v) the slaughter of animals in a humane manner within an enclosure so constructed that animals placed therein shall be out of aight of aumals kept outside .
  - (vi) the removal of animals to such enclosure as aforesaid.
  - (vii) the disposal or destruction of animals which are offered for slanghter and are from disease or any other cause unfit for hamsp consumption and
  - (viii) the destruction of carcasses which from disease or any other cause are found after slaughter to be nufit for human consumption
- Provided that no license shall be granted for a slaughter house opened after the commencement of this Code, if the slaughter house is situate at any

(Chapter VIII -Control over Saráis, Encamping grounds, Traffic, etc - Sections 180 185 1

place which the cantonment anthority thinks, especially with regard to any neighbouring drains or water courses, to be objectionable

130 No private slaughter house shall, after the commencement of this Code, be opened to public use until it has been licensed

Force to require 324. (?) The cantonment authority may, by notice in writing, require the shades price womer or the person in the commencement of the likement. In the specified in the not

ne specified in the not purpose of determining

(2) On the expiration of such time as aforesaid the cantonment authority

shall determine whether or not it is necessary to require a license (f) Where the cantonness tauthority determines that a license shall be required for the alsuphter house, and a license therefor either as not applied for or is refused the cantonnest authority may, by notice in writing, requition of the presence of the person in charge of the slaughter house to close the same until a license has been obtained.

Duties of owners or persons in charge of licensed slaughter houses.

hew private a anghter-

houses to be

- 132 The owner or the person to charge of a liceused slangiter house shell be bound-
  - (a) to maintain convenient passages between any pens, standings or yards in the slaughter house,
  - (b) to maintain a sofficient supply of pure water for the alaughter house,
  - (c) to keep the slanghter house in a cleanly and sanitary condition, to provide and maintain receptacles for refuse, and to remove all offensive matter and robbash from the slanghter house.
  - (d) to maintain in good order the drains of the slaughter house and any public latrines or urnals which may have been provided for the use of persons frequenting it.
  - (e) to maintain suitable arrangements for the purposes mentioned to section 129, clause (e) sub clauses (iv) to (vin), and
  - (f) to prevent the keeping of summals at the slanghter house for more than twenty four hours

Power to suspend or withdraw licenses for slanghter houses.

(2) No stanghter home for which a license has been granted under this Chapter, shall be kept open to public use, and no anunal shall he stanghtered therein, while the license therefor is suspended or after the same has been withdrawn.

(3) A copy of every order made under sub-section (1) shall be conspicuously rosted in the slaughter bours to which the order relates

Register of private slaughter

- 134. The Cantonment Magistrate shall maintain a register of all private slanghter houses which have been licensed under this Chapter, showing—
  - (a) the date on which the because was granted, and,

- 45-4 9 \*

.

(b) where the license has been auspended, the date and period of the surpension, or,

manual of four qual

,

(c) where the liceuse has been withdrawn, the date of the withdrawal

Flaghtering in singhter houses when license surranded or withdrawn, 175

chter house is for nters any animal hich may extend

(Chanter VIII -Control over Sardis, Encamping grounds, Troffic, etc -Sections 136-115 )

136. (1) The cantonment authority may-

(c) charge, for the occupation or use of any stall, shop standing, shed or address are pen in a public market or slaughter house, and for the right to poble market appear goods for sale in a public market and for weighing and boats. measuring goods sold therein, and for the right to slaughter animals in any public slaughter house, such stallages, rents and fees as shall from time to time be fixed by it, in this behalf, or

Lary of stallages, rents

(b) form the stallages, rents and fees leviable as aforesaid, or env portion thereof, for eny period not exceeding one year at a time

(s) A copy of the table of stallages, rents and fees (if any) leviable in

"g of the canton import of estile mal slaughtered

(2) Any animal or flesh brought into the cantonment in contravention of sub section (1), may be seized by the Cantonment Magistrate or by any servant of the cantonment authority and sold or otherwise disposed of as the cantonment authority may direct, the sale proceeds being credited to the captonment fund

(3) Whoever commits a breach of the provisions of this section shall be punishable with fine which may extend to fifty rupees

Explanation - Nothing in this section shall be deemed to apply to cured or preserved meat

### Traffic

138. The cantonment authority shall not permanently close any street Closing and or open any new street without the previous sanction of the Officer Command opening of ing the Division

139 Whoever is driving e vehicle along a street, shall, except in case of Rule of the octual necessity, keep to the left when passing a vehicle coming from the read. opposite direction, and to the right when passing a vehicle going in the same

140. No animal shall be ridden or driven, end no vehicle shall be driven, Rash riding or on any street in a rash or negligent manner

141. No animal shall be ridden or driven, and no vehicle shall be driven, Riding or on any street at a time or in a manner prohibited by public notice used by driving at time the Cantonment Magistrate or by the District Superintendent of Police

er in manner prohibited

142. No vehicle shall be driven, led or kept standing on any street between Fas of lamps nightfall and dawn without a suitable lamp, placed on the right side thereof, or rhiles. unless there is sufficient moonlight to render a lamp unnecessary

143. Whoever is driving any elephant or camel on a street, shall remove Beneral of 143. Wheever is uriving any supposed of a horse or of bullocks drawing a stephast are to a rafe distance on the approach of a horse or of bullocks drawing a stephast are cased on

approach af horse or whicle drawn by balleck. Leaving whicle or unimal 144. No vehicle or animal shall be left on a atreet without proper control.

or animal without proper

148. No animal shall be trained, broken in or led for exercise on any Training, street at a time or place prohibited by public notice severed by the cartonment breating is er authority

exercising 6-1-12

(Chapter VIII -Control over Saráis, Encamping grounds, Traffic, etc .-Sections 116 155 )

Obstruct no atrest

146 No person shall-

- (a) cause any vehicle, with or without an animal harnessed thereto to remain or stand so as to cause obstruction in any street longer than may be necessary for loading or unloading or for taking up or setting down passengers, or
- (b) leave or fasten any vehicle or animal so as to cause obstruction in any street, or
- (c) expose any article for sale, whether upon a stall or booth or in any other manner, so as to cause obstruction in any street, or
- (d) in any other manuer wilfully obstruct or cause obstruction to the free passage of any street

### Burial and Burning Grounds

Power to call

147. The cantonment authority may, by notice in writing, require the n

Permission required for use of new burial or barr ag ground

- 148 (1) No place not previously used as a burial or hurning ground shall after the commencement of this Code, be so used without the permission in writing of the cantonment authority
- (2) Such permission as aforesaid may be granted subject to any conditions which the cantonment authority may think fit to impose for the purpose of preventing annoyance to, or danger to the health of, persons living in the neighbourhood

Power 10 re naire closing of bur al or hurn ing ground

- 149 (1) Where the cantonment authority is of opinion, after making or
- (2) Where the Local Government sanctions the issue of any notice under sub section (1), it shall declare the conditions on which the burial or burning ground may be re opened, and a copy of the decisration shall be annexed to the notice
  - (5) Where the Local Government sanctions the issue of any such notice

Prohibit on of use of burial or

150 No corpse shall be buried or burnt in any burnal or burning ground in respect of which a notice issued under section 149, sub-section (1) is for burning ground in respect of which a i

11on 140 Distance be-I WEER Grayes

151 No grave shall be made in any burial ground at a leve distance than three feet from the margin of the nearest grave

Denth of 273.788

- 152 No corpse shall without the permission in writing of the canton ment authority, be buried in any hurisl ground in a grave of less depth than-
  - (a) four feet, where the grave is made of masonry, or
  - (b) six feet, where the grave is not made of masonry

Corpses to be buried or burnt within six hours Corpset to be re-

153 Every corpse brought to a harral or burning ground shall be buried or burnt, as the case may be, within six hours after it has been so brought

154 Fvery corpse brought to a hurning ground at all he completely reduced to ashes

Power in re speci of impro-COTOFFE

155 Where a corpse has been hursed, burnt or otherwise disposed of in contravention of any of the provisions of sections 148, 150 151 152 153 and 154, the contonment authority may if it thinks fit, take such order, therewith

(Chapter 1 III -Control over Sinus, Encompagagraunds, Trafic etc -Section 156 Chapter IX -Water-suprily -Sections 15" 161)

or with the remains thereof, as shall ensure the proper disposal of the same in accordance with this Code

accordance with this Code

138 The provisions of sections 147 to 155 shall not apply to any burnal Certain burnal
ground which is for the time being managed under rules published in the strong eyen
lion of eyen to
it's to 158.

### CHAPTER IN

#### II ATTE STEEL II

157. Ill sources of public mater suglly (except such as are used for the C atrol of purposes of water works and are for the time being under the control of the cantoment Public or Military Works Department) shall be under the control of the can sources of public tonment authority

Majer-sprift.

158 (1) Where there are no waterworks the cantonment authority shell but granula-tion all not any measures for unustaning a supt h of pure water for purit med substitu-ing from pollution water which is used for human consumption, and for to maintain preventing polluted water far he being on u. of the purity of the water of the purity . . . . . . . . . . .

(a) the drink of lumin beings or admixture with any article of human

- consumption.
- (b) the drink of milch animals, or admixfure with any article of food or drink for milch animals
- (c) the washing of veretables or of cooking utensils,

[d] any other purpose whi has likely to cause its introduction into any article of human consumption

(\*) A copy of every notice assued under sub-section (1) shall be conspicuously posted near the source of water supply to which the n tire relates. 160 The cantonment authority may by notice in writing require the Power to require

owner, or any person I saling control of any source of public water supply since or siling which is used for drinking purposes — (a) to keep the same in good order, and to char it from time to time of silt, refuse or decaying vegetation, or

public drinking WALLESTE !

[1] if the water therein is proved to the estisfaction of the cantonment authority to be unfit for drinking purposes, to take such measures as may be specified in the n tive to prevent the pub is from having. access to, or using such mater

Provided that in the case of a well on hiperson as afcress I may instead of complying with the notice, simily in writing his desire to be relieved of all responsibility for the proper maintenance of the well and his readiness to place it under the control and supersisten of the cantonment authority for the use of the public and the cantonment authority shall thereuron undertake the control and supervision of the same

161 (1) Whoever-

eng in we .. . at.

(a) bathes in any source of put h, water surely which is used for drink ing water surely ing purposes or

(b) Washes throws or causes or permits to enter, therein any dig or other animal, or

fel washes or cleanses there a any of thes most little leather along ptered or other there or

Potenting source

## (Chapter IX -Water-supply -Sections 162 169)

- (d) throws or allows to flow thereinto any offensive matter or rubbish,
- (e) causes or allows the water of any sink, drain, steam engine or boiler, or any other filthy or polinted water belonging to him or under his control, to flow thereinto, or
- (f) does any other act whereby the water thereof is polluted or is likely to be polluted,

shall be putushable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees

- (2) For the purposes of this section the cantonment authority may, by public notice, declare what sources of public water supply are used for drinking purposes
- (3) A copy of every notice issued under sub section (2) shall be conspicuously posted near the source of water supply to which the notice relates 162 The cantonment authority may, by public notice, probibit any act
- specified in the notice which would in its opinion ---(a) impair the quality or diminish the quantity of the water in any source of public water supply which is set apart for public use and is used
  - for dranking purposes, or (b) injure or impair the usefulness of any of the pipes, locks, eocks or other fittings of water works
- 163. (1) The cantonment authority may, hy public notice, probabit tres passes upon land occupied by water works
- (2) A copy of every notice assued under sub-section (1) shall be conspicu ously posted on the land to which the notice relates
- 164 (1) No person shall without the permission in writing of the canton ment authority alter, obstruct or encroach upon, any public water channel
- encioned g (2) The cantonment authority may by notice in writing require any person who has made any such alteration obstruction or ancroachment as aforesaid to remove or desist from the same

Power to piol hit polluting of source of public water-supply by feeling boating orgathe ing flowers or plants

Impairing quality order in the

ing que lity of water in source of public drink

ing water enouls or impeir ng

water works

Trespass on water works

Alteriog obstracting or

- (2) A copy of every notice issued under sub-section (1) shall be consincuously posted near the source of water supply to which the notics relates
- 166 No person shall throw a corpse into any source of public water supply 167. The cantonment authority may, by notice in writing require the owner, lessee or occupier of any place in which is carried on any offensive trade
- Throwing of corpec into source of public water-supply Power to proble bit pollution of source of public water supply by carry
- trade Placing lat ins, etc or deposit
- matter or rub-blab, sear source of pu'lle saler copply
- Memoral of latrine ete near eny source of public weter copply
- or manufacture wherehy the water in any source of public water supply is 168 No person shall, without the permission in writing of the cantonment anthority,-
  - (a) place any latrine, urmal, cesspool or drain, or

polluted to take steps to shate such pollution.

- (b) use for the deposit of offensive matter or rubbish any place.
- within fifty feet of any source of public water supply
- 169 The cantonment anthonity may, by notice in writing, require any lesses numer or occ n ar on wh . l'drain or r source of r from the

### (Chopter IX -Water supply -Sections 170 171 Chapter X -Trades, Callings and Occupations -Section 172)

170. Whoever-

Bathing or wasting at public well or spring

- - (a) bathes, or(b) washes any animal, or any clothes, wool, cloth, leather, skin, utensil
- or other thung, by the side of any public well or spring so as to pollute the water thereof, shall be punishable with imprisonment for a term which may extend to eight days.

he panishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees

171 (1) The cantonment authority may, by public notice, prohibit—

prohibit Regulation of public bathing and washing

(a) bathing, or

(b) the washing of animals or if clothes, woos, cloth, leather, akina, utenals or other things, or of any class of such things,

hy the public or any class thereof at any public place specified in the notice

- (2) The cantonment anthority may, by public notice,-
  - (a) appoint places for-
    - (1) bathing, or
    - (ii) the washing of animals or of clothes, wool, cloth, leather, skins, utensils or other things, or any class of such things, and
- (b) fix the hours at which alone bathing or washing may he carried on at any place so appointed
- (3) In any notice usued under sub-section (1) separate places may be appointed for hathing and washing, respectively, and separate places may be appointed for hathing by men and women, respectively

(4) A copy of every such notice as aforesaid shall he conspicuously posted on or near the place or places to which the notice relates

Explanation -In this section, the expression "washing an animal cludes driving or throwing an animal, or permitting it to go, into water

# CHAPTER Y

# TRADES, CALLINGS AND OCCUPATIONS

172. No person of any of the following classes, namely -

Licenses required for carrying on of

(a) butchers, and sellers of poultry game or fich

(b) persons keeping pigs for profit and dealers in the flesh of pigs which flesh

have been slaughtered in India.

- (c) persons keeping milch cattle or milch gosts for profit.
   (d) persons keeping for profit any animals other than pigs, milch cattle or
- (d) persons keeping for profit any animals other than pigs, milch goats.
- (c) dairymen and huttermen and makers or sellers of ghl; (f) makers of hread, biscouts or cake, and sellers of hread, hiscoits or cake made in luda.
- (a) sellers of fruit or vegetables.
  - (A) manufacturers of aersted or other potable waters, or ice, and sellers of the same.
  - (f) sel' -- ' s----- ' -- ' -- ' -- ' -- ' food or drink for human igs milk butter, head other potable water, or

(Chapter X -Trades, College and Occupations - Section 173)

- (L) sellers of water to be used for drinking purposes.
- (/) washermen.
- (m) dealers in hay, straw, wood, chargoal or other inflammable material.
- (a) dealers in fireworks, kerosine oil, petroleum or any other inflammable cal or spirit.
- (o) tanners and dvers .
  - (p) parsons carrying on any trade or occupation from which offensive or unwholesome amella arase.
- (a) sellers of wheat rice and other graves or floor used as human food.
- (r) makers or sellers of sugar or sweetmeats, and (s) hawkers and pedlars,

shall carry on his tride calling or occupation in any part of the cantonment unless he has applied for, and obtained a license renewable annually from, the captonment authority

Provided, first, that a license shall not be withheld if the applicant is willing to comply with such conditions as the cautonment authority may think fit to impose under section 173

part of the cantonment sha such trade calling or occur

cantonment authority not obligation to do so and th him a license it shall pay reason of such refusal

Provided thirdly, that in cantonments to which the Indian Petroleum Act 1899 IV III of 1899), extends no person shall be required to obtain a horase for the sale or acroage of petroleum in any case, in which a license is required by the said Act to be taken out, save in accordance with the provi sions of the said Act, and of the rules framed thereunder 1. - 4

äitiona which may be LCCHTCL.

ampese with respect to the following matters, namely -

- (a) in the case of butchers, and rellers of poultry, game or fish,-
  - (1) the apparatus and coverings to he used in the operations of
  - their trade, (u) the places at which, and the manner in which, meat, poultry,
  - game or fish may be exposed for sale, and (iii) the disposal of meat, poultry, game or fish when found to be
  - unfit for human consumption

(5)

- and the fiesh offered for sale, (1v) the manner in which pigs shall be inspected prior to slaughter. and
- (c) the manner in which the flesh thereof shall be inspected and marked prior to sale, and disposed of when found to be

place.

m) the sources from which evel animals shall be watered, (1v) the segregation of any sick or diseased mimals, and

(Chapter \ -Trades, Callings and Occupations -Section 173)

120

- (v) the taking of any other measures which the cantonment authority may think necessary for maintaining the premises in a clean and cantary state
- (d) in the case of persons keeping for profit any animals other than pigs much cattle or milch goats.—
  - (i) the places at which such animals may be kept,
  - (ii) the number of such animals which may be kept at any one place, and
  - (iii) the manner of keeping the animals so as to present their be coming a public nuisance or injurious to the public health
- (e) in the case of dairymen, huttermen and sellers of ghi,-
  - (i) the vessels and other apparatus to be used in the operations of their trade,
  - (ii) the places at which and the manner in which milk or hutter may be prepared and kept for sale, and
  - (iii) the taking of any other measures which the cantonment authority may consider necessary for keeping the premises and all versels and apparatus in a clean and sanitary state
- (f) in the case of makers of hread, biscuits, cake or sweetmeats and sellers of hread, hiscuits or cake or awertmeats made in India,—
  - (i) the apparatus and the water, flour and other ingredients which may be used in the operations of their trade,
  - (u) the places at which bread, hiscuits, cake or sweetmests may be prepared and kept for sale,
    - (iii) the inspection to be exercised over the making of such articles, and
  - (iv) the disposal of any such articles which may be found to be unwholesome
- (g) in the case of sellers of fruit or vegetables,-
  - (i) the places and seasons at which fruit or vegetables, or any specified kinds of fruit or vegetables, may be sold, and
  - [11] the disposal of any fruit or vegetables which may be found to be unwholesome or of which the sale has been prohibited under clause (y), soh clause (1)
- (h) so the case of manufacturers of aerated or other potable waters or see, and sellers of the same —
  - dis sources from which water used in such manufacture shall de taken.
  - (u) the machinery, chemicals and ingredients which may be used in such manufacture,
  - (111) the measures to be taken in order to ensore the proper filtering of the water used and the cleanliness of all apparatus and receptacles used, and
  - (iv) the attachment of labels or the adoption of other means for the purpose of identifying the factory at which each article was made
- (j) in the case of sellers of any medicines, drags or articles of food or drink for human consumption (other than the flesh of pigs, milk, butter, bread bracuits, cake, fruit vegetables neared or other points waters or ice) which are of a persisable nature, the disposal of any articles which may be found to be unwholecome

Power of can tonment author-ity to make bye laws as to rehicles etc.

### The Contonment Code, 1912

(Chapter Y -Trades, Callings and Occupations -Section 174)

- (L) in the case of sellers of water to be used for drinking purposes,-
  - (1) the sources from which such water shall be taken, and
- (u) the taking of measures to ensure the cleanliness of mussuke or any other yeasels or mensils used for carrying such water (I) in the case of washermen, the places at which clothes may be washed,
- dried or kept (m) in the case of dealers in hay, atraw, wood, charcoal or other inflam
- mable material -
  - (i) the places at which such materials may be kept,
  - (u) the quantity which may be stored at any one place, and the manner of storing, and
  - (iii) the precautions against fire to be taken by the dealer or the person in charge of the business
- (a) in the case of dealers in fireworks, petroleum (in cases in which a license is required under this Code), kerosine oil or any other in flammable oil or spirit -
  - (i) the places at which and the quantities in which, ony such article mey be stored or kapt for sale, and
  - (ii) the taking of any measures which the cantonment authority may consider necessary for the prevention of danger to life or property
- (c) in the case of tanners and dyers, the taking of measures for regulating the discharge of reluse matter from their premises and for abating any musance arising from such premises and
  - (p) in the case of persons carrying on any trade or occupation from which offensive or unwholesome smells arise, the taking of any measures which the cantonment authority may consider necessary for the spatement of any nuisance arising from the premises
- Explanation -- For the purposes of clause (a), sub clause (ii), meat which has been subjected to the process of blowing shell he presumed to be unfit for human consumption
  - 174 The cantonment authority may, by bye laws .-
  - [4] render heeses necessary for the proprietors or drivers of vehicles, 188 (a) a bosts or samuals kept or plying for hire within the cantonment, and fix the fees payable for each hecases and the conditions on which they are to be granted and may be revoked.
  - (b) limit the rates which may be demanded for the hire of any carriage, cart, boat or other conveyance or of animals hired to carry loads or for the services of persons hared to carry loads, and the loads to be carried by such conveyances, animals or persons when hired in the cantonment for a period not exceeding twenty four hours, or for a service which would ordinarily be performed within twenty four hours

ъ. 33 6- 1 . . . . section by the canton Corneyances in the town, suburbs and harbour of Bombol) is in force, that it is apply to any vehicle to which any of those Acts applies.

Provided, secondly, that in no cantonment in which a cautonment committee has been constituted shall any hye laws be made except at a meeting

of which at least my clear days notice shall have been given

(Chapter A -Trades, Callings and Occupations -Sections 176 181 ter XI -Prevention and Treatment of Disease -Section 182)

176. No person holding a license under acction 172 for keeting for profit Feed ag animals milch cattle or milch goats, or pigs or eny other animal which may be used on thin ets for human consumption, shall allow the same-

(a) to be fed upon refuse or any filthy or deleterious substance, or

(b) to graze in any place in which grazing has for sanitary reasons been prohibited by public notice usued by the contenment authority

178. No dairyman holding a license under section 172 shall mix water with, Adulteration of or otherwise adulterate, any milk intended for sale

any butter intended for sale

177. No butterman holding a license under section 172 shall adulterate Adulteration of

178. No person holding a license under section 172 shall sell any article drink unit for of food or drink for human consumption which is unfit for that purpose human con-

samplion Power to remova brothela

179. (1) The contonment authority may, by notice in writing, prohibit-(a) the keeping of a brothel, or

(b) the residence of a public prostitute, in the cantenment or any specified part thereof

(2) Whoever fails to comply with a notice issued under sub section (1), shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupers, and, in the case of a continu-ing failure, with an additional fine not exceeding five rupers for every day after the first in regard to which he is convected of having persisted in the failure

180. No public prostitute shall be permitted to reside within the limits Enclation of any regimental bazar situate in the cautonment tasks from regimental bazar situate of the cautonment tasks from regiments better the cautonment tasks from regiments are cautonments.

Power to at 1

161 (1) Where any person bolding a license under section 172, or section 174, commutes a breach of any of 17 and 178, the cantonment suthern which may be inflicted under this C license for any restonable time to be same

(2) No person who has obtained a license under this Chapter for carry ing on a trade, calling or occupation is any part of the cantoument, shall carry on such trade calling or occupation in that part while such license is suspended or after the same has been withdrawn

#### CHAPTER XI

#### PREVENTION AND TREATMENT OF DISEASE

#### Infectious or Contaguous Disorders

#82. Whoever,-Information to po Blach of (a) being a med on and ton a and a st. a ar

### (Chapter XI -Presention and Treatment of Disease. - Sections 185-186 )

- (b) in default of such medical practitioner, being the owner or occupier of such dwelling and being cognizant of the existence of any infec-tions or contagious disorder therein; or,
- (c) in default of such owner or occupier, being the person in charge of, or in attendance on, any person suffering from any infectious or con-tagious disorder in such dwelling and being cognizant of the existence of the disorder therein:

fails to give information or gives false information to the cantonment authority respecting the existence of such disorder, shall be punishable with fine which may extend to fifty rupees .

> 1 to give information in 'r person, shall not be .. to suppose that the in-

Provided, also, that this section shall not apply to venereal disease where the person suffering therefrom is under specific and adequate medical treat ment, and, by reason of babits, conditions of life and residence, is unlikely to apread the disease

Explanation -In this section, the expression ' infectious or contagious disorder ' includes venereal disease

Special measures on outbreak of infectious or contagious disorder among inhabitants or enidemia disease inong cattle

182. (2) In the event of the cantonment being at any time visited of (c/, Bom Act threatened by an outbreak of any infectious or contagious disorder among file of 1848, a shand #9]

- (a) take such special measures, and,
- (b) by public notice, prescribe such temporary regulations to be observed by the public or by any person or class of persons,
- as he thinks necessary to prevent the outhreak of the disorder or disease or the spread thereof

(2) Whoever commits a breach of any temporary regulation prescribed under sub section (1), shall be deemed to have committed an offence punish able under section 188 of the Indian Penal Gode 184. Where it is certified to the Cantonment Magistrate by a medical

XLV of 1800.

l'ower to require -actear e acar

185. Where it is certified to the Cantonment Magistrate by the Sanitary Power to regules names of washerman =

Erport after 114 . . .

cuelomere

186. Where, after inspection, the Santary Officer is of opinion that any ikely to arise, from the con-from the washing of soiled any process employed by a

. itonment Magistrate

(Charter XI .- I'recention and Treatment of Durage -Sections 187 192)

ment Magnitrate may, by notice in writing .-

187. Upon receipt of a report submitted under section 186, the Canton Action on

Action on report submitted under

- (a) prohibit the person in charge of the dairy from supplying milk section 191 therefrom until the notice has been withdrawn, or, as the case much be the case
- (b) prohibit the washerman from washing soiled clothes or other articles in any such place or by any such process as aforesaid until the notice has been withdrawn or unless he noses such place in such manner or washes by such process as the Cantonment Magistrate may direct in the notice
- 198 The Course of the Course of the Course
- 189. Whoever-

Contemportion of public conregarder.

- (a) enters a public conveyance while suffering from an infectious or regarded contagious duorder which would be likely to be communicated to other persons using the conveyance; or
- (b) uses a public conveyance for the carriage of a person who is suffering from any such disorder, or
- (e) uses a public conveyance for the carriage of the corpse of a person who has died from any such disorder;

shall be bound to notify the fact to the driver and to report to the Cantonment Magistrate the number of the conveyance and the name of the driver.

that has not already been dene

121 \*\*\*\*

Provided that, where in the opinion of the Cantonment Magistrate, the owner or occupier is, from poverty or any other cause, unable effectually to carry out any anth-requisition, the Cantonment Magistrate may, at the expense of the cantonment fund, cleanse or dissificet the building or part, or any articles therein likely to retain infection, or renew the said flooring.

192. 77" '

" the Destruction of is or infected but or ting, shed

' the

Provided that the cantonment anthority shall pay to the owner such sum as may in the circumstances appear to it to be equitable for any loss incurred by reason of the destruction of such hut, shed or materials.

### The Contonment Code, 1918 -

(Chapter XI -Prevention and Treatment of Direase -Sections 195 200)

193. The cantonment authority shall provide free of charge temporary

Temporary shelter while building to belog dis niccted or when infected but is destroyed

vided for them

Disinfection of 194 Whoever lets a building or part of a building in which any person boilding and articles therein the ballding

om an in part, dis public or retain in

#### fection

Explanation - For the purposes of this section, the keeper of a sarás shall be deemed to let part of a building to any person who is admitted as a guest into the saraz

Disposal of intected article without d stafection

195 No person shall, without previous disinfection of the same, give, lend, soll, transmit or otherwise dispose of to another person any article or thing which he has reason to know has been exposed to contamination by any infections or contrations disorder

D apasat of infectious matter

198. The contonment authority shall by public notice prescribe the manner in which infectious excrets and other matter is to be dealt with or disposed

Making or lo or washing infected gerson.

- 197 Whoever, while suffering from an infectious or contagious disorder .-(a) makes or offers for sale any article of food or drink for human con sumption or any medicine or drog, or
- (b) takes any part in the business of washing or carrying soiled clothes.

shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees

-- -- - - 1 ŋу 103 128 ng пy Power to

restrict or obisit sa'e of prolited articles food or dnas. on outbreak of infections or contactons Disposal of tolected corps

person

200. Where any person has died from any infectious or contamous diorder, the Cantonment Magnetrate may, by notice in writing,-

(a) require any person having charge of the corpo-

-1 -- 4 42

- (ii) to convey the same to a mortuary th reafter to be disposed of in accordance with law, or
- (b) prohibit the removal of the corpse from the place where death occurred, except for the purpose of being buried, burnt or other wire directed of as afore aid or of heling convived to a morlinary

(Chapter XI -Presention and Treatment of Distage -Sections 201 208 )

# Hospitals and Dispensaries

201, (1) So far as the funds at its disposal permit, the cantonment author Maintenance of alding of bospitals and ity may-

(a) 1 rovide and maintain, either within or without the cantonment, as dispensaries. many hospitals or dispensaries as may be necessary, or

(b) make, upon such terms as it thinks fit to impose, a grant-in sid to any hospital or dispensary, whether within or without the cantonment not maintained by it.

(2) Every hospital or dispensary maintained or aided under sub-section (1) shall have strached to it a ward or wards for the treatment of persons suffering from infectious or contagious disorders

Explanation -In this section, the expression "infectious or contagions disorder" includes venereal disease

disorder. includes veneres usesses.

202. A Medical Officer, to be appointed in such manner as the Local Gov. Midical Officer enument may direct, shall be in charge of every hospital or dispensary main to be in charge in the state of the charge of the ch 203. Subject to the control over the cantonment fund which is vested in Seberdinale

the Local Government by section 21 of the Cantonnens tand which is vested in substitution the Local Government by section 21 of the Cantonnents Act, 1910, there shall for haspitale or be spounded, for every hospital or dispensary maintained or added under dispensaries rection 201, such aubordinato establishment as may be necessary 204. So far as the funds at its disposal permit, the cantonment authority lied ed

shall cause overy hospital or dispensary maintained or aided under section soprlies appliances, sto

201, to he provided with-(a) all requisite drugs, instruments, apparatus, furniture and appliances,

(b) sufficient cots, bedding and clothing for is patients, and

(c) such further requisites as may be necessary.

205. Every hospital or dispensary maintained or sided under section 201 application of civil hospital en)en

think fit

107 1

Explanation -In this section, the expression "infectious or contagious disorder" includes venereal disease.

208. If the Medical Officer in charge of a hospital or dispensary main

(Chapter XI -Presention and Treatment of Disease -Sections 200 212 Chapter X11 -Suppression of Mendicancy and Lottering and Remotal of Dis orderly Persons -Section 215 }

Provided that if, having regard to the nature of the disorder, or the condition of the person suffering therefrom, or the general environment and circumstances of such person, the Medical Officer considers the attendance of such person at the hospital or dispensary inexpedient, he may dispense with such attendance and take such measures or give such directions as he may think fit and proper

Explanation -- In this section, the expression "infectious or contagious disorder includes venereal disease

209 (1) If the Medical Officer in charge of hospital or dispensary maintained or aided under section 201 reports in writing to the Commanding Officer of the contonment that any person, having received a notice as pro-

sion in writing

that captonment

210 No spirituous or fermented liquor or intoxicating drug or preparation shall be introduced into a hospital or dispensary maintained or sided under section 201 without the permission of the Medical Officer in charge

211 (1) No land in the contonment shall be selected for use as a hospital or segregation camp without group the Cantonment Magnitude and the Sanitary Officer an opportunity of statung their opinions upon the proposed (2) Where any land in the cantonment is used as aforesaid, it shall be

#### Pagrums

ploughed up as soon as practicable after it has ceased to be so used

212. (1) The contonment authority may provide or prescribe suitable routes for the use of persons passing through the cantonment—

(a) on their way to or from fairs or places of pilgrimage or other places of public resort, or

(b) during times when an infectious or contagious disorder is prevalent and may, by public notice, require such persons as afore-aid to use such

routes and no others (\*) All routes provided or prescribed under sub-section (1) shall be clearly and sufficiently indicated by the contonment authority

### CHAPTER AII

SUPPLYS ION OF MENDICANCE AND LOITERING AND REMOVAL OF DISORDERLY Pensons

#### Mendicanev

213 No mendicant shall, in any street or public place in il e cantonment loster or beg for als :

Power to exclude from per ons refusi g to attend at ar zemain to hosp tal or dispensary

Introducing a quot or drag or dispensary Temporary bore tals and argregation cantonmente

Trekes Sun pitgrims sod otl ers

Mend caner

### The Cantonwent Cede, 1912

(Chapter XII - Suppression of Mendicancy and Instering and Removal of Disorderly Persons - Sections 211 \*10 )

### Lettering and Importuning

214. Whover, in any stricts or public place in the cantement, lotters for Louisinger the purpose of prositiotism or importance any person to the commission of hyperfinites sexual immorality, shall be quantiable with impronement for a term which immorality may extend to eight days, or with sine which may extend to fifty trupes. Provided that no person shall be charged with a hreach of the provisions of

Provided that no perion shall be charged with a breach of the proximons of this section except on the compliant of the perion importanced, or of an officer as defined in the Cantonmenta Act, 1000, in whose presence the breach was committed, or of a member of the Braths multiary police force employed in the cantonment and specially authorized in this behalf by the Commending Officer of the cantonment, in whose presence the breach was committed, or of early of the cantonment, in whose presence the breach was committed or of early who is employed in the cantonment and specially authorized in this behalf by the Commanding Officer of the cantonment.

#### Removal of Disorderly Persons

- 215. (1) The Cantonment Magnitrate may, on receiving information that Removal and any person, whether resident in or frequenting the cantonment,—
  - (o) is a disorderly person who has been convicted more than once of disorderly gambling, or who keeps or frequents a common gaming home, a Penning etc disorderly drinking shop, or a disorderly home of any other descrip
  - (b) has been convicted more than once, either within the ennionment or clerethere, of an offence punishable under Chapter XVII of the Indian Penal Code, or

# from re entering it

(2) Every summons issued under subsection (1) shall be accompanied by a copy of such order as storesaid, and the copy shall be delivered by the officer serving the summons to the persons served with the same.

(3) The Cantonment Magistrate shall, when the person so summoned appears before him, proceed to inquire into the truth of the information received, and take such further evidence as he thinks 6t, and, if upon such

216.(I) The Commending Officer of the eautonment, if he thinks it ex General over of removal and exclusion fro another than the comment of th

Provided that no such order as afore and shall be made—
(a) where the only reason for making it is that the person—

(a) is disorderly, or

(Clapter XII -The Suppression of Mendicancy and Leitering and Removal of Disorderly Persons -Section 217 Chapter XIII -Care of Animals -Sections 218 221 )

- (11) has been convicted of an offence punishable under Chapter XVII of the Indian Penal Code or section 156 of the Army XLV of 1800 Act, or 46 & 45 Viet,
  - (111) has been ordered under Chapter VIII of the Code of Criminal Procedure 1898, to execute a bond for his good behaviour, V of 1599
- (b) unless the Commanding Officer of the cantonment thinks that the presence of the person in the cantonment is dangerous to good order or military discipline

(2) Save where the C ----Om -

(5) Where an order is made under sub-section (1) without the previous the Commanding Officer of the canton fficer Commanding the Divisien or the be a copy of the order together with

liarbouring or concessing person and red to re nove from and prohibited acs topmest

217 Whoever knowing that any person has under sections 209 215 or 216 been required to remove from the cantonment and has not obtained the requisite permission to re-enter it barbeurs or conceals such person in the cantonment shall be pumshahlo with imprisonment for a term which may tomins entering sytend te eight days or with fine which may extend to fifty rupees

#### CHAPTER VIII

### CARF OF ANIMAIS

### Perention of Crelts

Cruelty to

218 Whoever ill uses tortures er cruelly heats any animal in il s canton ment shall be punishable with imprisonment for a term which may extend to eight days or with fine which may extend to fifty rupses -17  $\alpha \sigma$ 

Extension of the Prevent on of Cruelty to 1890 10 cantonments

XI of teap

1ty plac

gard Cattle trespass Act 18/1

I ol 1871

(5) Where the Preventien of Cruelty to Animala Act 1890, has been ex XI of 1890. tended to any cantonment, the provisions of section 218 of this Code shall cease to have effect therein

#### Grazing

220 Every owner, or the person in charge, of an enimal grazing on any land belonging to the Government in the cantonment shall be bound to keep it under proper care and control

221 (1) Where any animal is found grazing on land belonging to the care or control and sent with in section 4 of the

1 of 1871

proper care nd control impounding ni na. grating without bring under proper

Animale grazing to be

of a

- (Chapter XIII -Care of Annuals -Section 202 Chapter XIV -Presention of Fire -Sections 223 227 Chapter XY -Registration of Births and Deaths -Section 226 )
- (2) Every animal so sent to the pound shall be dealt with as if it had been impounded under the provisions of the said Act, and the provisions of the said Act shall apply thereto
- (3) Every member of the police force employed in the cantonment shall when required, aid in preventing resistance to any such seizure as aforesaid and rescues from persons making such ecizures
- 222. (1) Whoever takes delivery of any animal impounded from the pound Person taking keeper (1f any) appointed under section 6 of the Cattle trespass Act, 1871, activery of shall inform the round keeper of the name of the owner of the animal and the animal from name of the person who had charge of the same at the time of its seizure
- (2) Wheever refuses to give the pound keeper the information required an irred by this rule, or wilfully gives him falce information, shall be punishable with of headual fine whi h may extend to fifty rupees

pound to etete

#### CHAPTER MIV

### PREVENTION OF FIRE

- (a) stack or collect dry grass, atraw or any other highly inflammable contonment material, or
- (b) build a matted structure or a cooking place
- (2) The cantonment authority may, by notire in writing, require any person who has stacked or collected any grass, straw or other highly inflam mable material, or has built a matted structure or a cooking place, in con travention of the provisions of sub section (1), to remove such stack, collection or structure as aforesaid within a time to be specified in the notice
- 224 No person al " tonment authority, or ity may fix in that send up a fire balloor

pongte of HEartes without permission

225 No person shall set a naked light on or near any building an any Setting naked atreet or public place in the contonment in such manner as to cause danger of light oner near building

Provided that this prohibition shalf not extend to the use of lights, with the permission in writing of the cantonment anthority, for purposes of illn minstion on the occasion of a festival or public or private entertainment.

#### CHAPTER XV

### REGISTRATION OF BIRTHS AND DEATER

226 (1) The Cantonment Magnitrate shalf maintain registers, in such Expidence forms as may be presented by the Local Government, of all births and deaths births and deaths of the Local Government, of all births and deaths distributed the state of the control of occurring in the cantonment

1

(2) No charge shall be made for the regularation of any hirth or death under this Chapter.

(Chapter XV - Registration of Births and Deaths - Sections 227 230 Chapter XVI - Appointment of Agents by Absentee Owners - Sections 231-232)

Duty of head of house or family to report birth therein

- 227. The head for the time being of every house or family in which any birth occurs, shall, within eight days after the event, report the same to the Cantonment Magistrate, together with the following particulars, namely.—
  - (a) the date of the hirth, and the sex and name (if any), of the child,
  - (b) the name, place of residence and occupation, and the caste or religion (if any), of the lather, if the person making the report is willing to formish these particulars, and
    - (c) the name and place of residence of the person making the report

Duty of I cad of house or family to report death therein

- 228. The head for the tune being of every house or family in which any death occurs, shall, within twenty four hours after the event, report the same to the Cantonment Magnetrate, together with the following particulars,
  - (a) the date of the death the sex, name, age and occupation, and the caste or religion (if any) of the decessed, the cause of death, and the place of readence of the decessed at the time of death,
    - (b) the name of the father, or, if the deceased was a married woman the name of the father, or, if the deceased was a married woman the name of her husband, if the person making the report is willing to furnish these particulars, and
  - to furnish these particulars, and
    (c) the name and place of residence of the person making the report

    220 If the liberton of constant in the first Communities of the Communities of th

Duty of Medical Officers to report births an I deaths

230. Whoever fails to comply with the provisions of section 227 or section 228, shall be numerable with fine which may extend to five runees

### CHAPTER AVI

APPOINTMENT OF ACENTS BY ASSENTER OWNERS

Daily of atmentee other to appoint ag nt

Delief to sgents

- (\*) The burden of proof of the facts entitling an agent or trustee to relief unler sub-section (I) shall be on him
  - (5) Where any agent or trustee has claimed and established his right to

(Chapter XVII -Inspection, Entry, Search and Argest -Sections 233 235 )

## CHAPTER XVII

# INSPECTION, ENTRY, SEARCH AND AGREST

Inspection I stru and Search

233. TL Brigade c	^~	~	:	•	, n	•	P.W	•	'	t, Fraggi
building c	•		٠							
										Commanding the Brirade

Commanding the Brigade of the I i trict Megistrate

234. The cantonment authority, by itself or by any person generally or Eatry and apecially authorized by it in this behalf, mayor by the

Entry and inspection by, or by the embority of the cancomment enthority

- (a) enter into or on any building or land for the purpose of-
  - (i) removing any buildings or materials, or oftening any building, in pursuance of a notice issued by the cantonment authority in accordance with the conditions of a lease executed under section 264, or any local and a property of a retice issued by the Local
  - (ii) resiming any land in pursuance of a notice issued by the Local Government in accordance with the conditions of a lease executed as aforecaid, or
  - (iii) performing any act authorized by any of the provisions of sections 86 97 and 290, sub section (1), or (iv) making any inspection authorized by the provisions of section
- 83, sub section (1), or

  (b) eu
- (c) enter into, or on and inspect any building or land in on or with respect to which the cantonment authority has reason to believe—
  - that a breach of any of the provisions of this Code has been committed, or
  - (ii) that any notice issued under this Code has not been duly complied with, or
  - (iii) that any conditions imposed under this Code have not been duly observed, or
  - (1v) that any notice should be seemed under this Code, or
- (v) that any conditions should be maposed under the provisions of section 112 sub-section (2) section 143 and section (2), or section 173

235 The Santary Officer, by bunkell or by any aterica, owner or two carry covernment apecially deputed by hum by an under in writing in this behalf, inspettion and may—

(a) enter into or on any building or land for the purpose of inspecting assibility of the may receptacles or places provided under section 75 for the ten of the design of the control of the contro

porary deposit of offensive matter and rubhisb, or
(b)

(c) enter into or on, and inspect, any building or land in or on which the Santary Officer has reason to believe that there is or has recently

- (Chapter X\ III Inspection, Entry, Search and Arrest Section 236\) been, any person suffering, or the corpse of any person who has died from any infectious or contagious disorder, and search for infected persons, corpses or articles therein or thereon, or
- (e) enter into or on and inspect, any building or land in, on or with re apect to which the Samiary Officer has reason to believe.
  - (1) that any such nuisance as is described in section 67, clause (d), clause (e) clause (o) or clause (p), has been committed, or
  - (11) that a breach of any of the provisions of sections 108, 126, 132, 150 to 184, 161, 175 to 178 and 197 has been committed or
  - (iii) that any notice issued under section 191, section 196 or section 196 has not been duly compiled with, or
  - (iv) that any conditions imposed under section 148, sub section (ε), or section 173, and affecting sanitation or hygiene, have not been duly observed in
  - (v) that the cantonment authority should be moved to irsue a notice under sections 77, St. 82, 84, 85, 86, 102, 104, 105, 159, 160, 162, 165, 167, 169, 192 or 199, or to take any action under section 83, sub-section (7), or
- (f) enter into and inspect any private slangiter house, or any structure therein for the purpose of assisting the Cantonment Magistrate in determining whether a ticene should be assued under section 129, or
- (g) enter on and respect any land which it is proposed to use as a burial or burning ground, for the purpose of accertaining whether any such permission as is referred to in section 148, sub section (I) should be given, or

grant unuer sect o 1 a, or

- (4) enter into er on and inspect, any building or land in or on which the Sanitary Officer has reason to believe that there is any animal or flesh which has been brought talo the cuntoment in contravention of section 187, or has been slaughtered in contravention of section 124, and servich for such animal or flesh, or
- (1) enter into or on and inspect, any hudding or land, for the purpose of-
  - (i) recertaining whether the Officer Commanding the Division should be moved to take any action under section 183 subsection (1), or
  - (11) advising the cantonment authority whether any, and if so whit directions should be issued under section 92 subsection (1), clause (b) clause (c) or clause (d), or
- (1) onler into or on and inspect, any building or land with respect to which the Suntary Officer has reuson to believe that the cantonment authority should be moved to issue a notice under section 79 section 25, section 25 or section 28
- 236 The Cantonment Magistrate, by lumself or by any person generally or specially authorized by him in this behalf, may-
  - (a) enter into or on, and inspect, any building or land for the purpose of— (i) inquiring into occupation, exerciship agency, rights or any other matter required to be entered in any of the registers maintained under sections 271, 272 and 275, or
- Fairy ingression and search by or by the authority of, the (autoument Hagistra e

- (Chapter \VII -Inspection, Fatry, Search and Arrest -Sections 237 247)
  - (ii) performing the duties imposed on the Cantenment Magistrate by section 17, sub section (2), section 69, section 72 or sec tion 78, clauso (b), sub clause (i), nr
  - (iii) determining whether a license should be issued under section 117 or section 129, or
  - (iv) ascertaining whether a notice should be restied under section 187 or acction 191, or
  - (v) cleansing or disinfecting a building or any articles therein, or renewing flooring in pursuance of the proviso to section 191,
  - (b) enter into or on, and inspect any building or land in or on which the Cantonment Magistrate has reason to believe that there is the corpse of any person who has died from an infectious or contagious disorder, and search for such corpse, or
  - (c) enter into and inspect any building which is being used, or is intended to be used, as a theatre or place of public entertainment or resort or any structure therein for the purpose of enquiring into and test ing the safety of such building or structure, or
  - (d) en' '
  - (e) enter any building in order to enforce its currender in pursuance of the conditions of a lease executed under section 264
- 237 The Cantonment Magistrate or the Sanstary Officer may enter into fairing and any market or any structure therein, and inspect the same or any article market before in the preformance of the duty imposed upon him by section 115 E 1137 Office. Magistrate
- 238 Where the cantonment authority has under section 60 sub-section Entry by 1 iblio (1) provided for the performance by its agents of the duties usually per enthlishments

239 (1) I very entry mide under any of the foregoing sections 233 to 237 Time of a try shall be made between sunrise and sunset . .

(2) Any entry made under section 238 may be made at any reasonable time

240 When any building used as a human dwelling is entered under this Precautions to Chapter due regard shall be paid to the social and religious sentiments of caterias the occupiers and no apartment in the actual occupancy of a woman shall dwilling he entered under this Chapter until she has been informed that she is at liberty to withdraw and every reasonable facility has been afforded to her for withdrawing

241 Fvery entry and inspection made under section 234 clause (b) shall be observed in 241 Fivery entry and inspection made union scanning of the religious entering the made under such arrangements as shall enume due regard for the religious entering and inspection impectation.

anal ar turnier ground.

#### Arrest scuthout Warrant

242 Any member of the police force employed in the cantonment may, Arrest lop police without a warrant arrest any person committing in his view a breach of any warrant of the provisions of this Code specified in the first column of Schedule 11

(Chapter XVIII -Service of Summonses, Notices etc. Sections 233 243
Chapter XIX -Appeal and Person -Section 345)

Provided first that in the case of the breach of any such provision as is specified in Part B of the said schedule no person shall be so arrested whose name and address are known to either the complanation or the arresting officer.

Provided secondly that no person shall be so arrested who concents to give his name and address unless there is reasonable ground for doubting the accuracy of the name or address so given the burden of proof of which shall be on the arresting officer.

Provided thirdly that no person so arrested shall be detained after his name and address have been accertained

Provided fourthly that no person so sere ted shall except under the order of Nagistrate be detained longer than may be necessary for bringing him before a Magistrate and

Provided fifthly that no person shall be so arrested for a breach of the provincions of section 214 except.

(a) at the request of the person importuned or of an officer as defined in the Cantonments let 1910 in whose pre ence the breach was XV of 1910 committed or

(6)

riti h mulitary police force anthorized in this behalf nment in whose presence lice officer not below the

rank of an officer in charge of a police station who is employed in the cantonment and specially authorized in this behalf by the Commanding Officer of the cantonment

## CHAPTER XXIII

SERVICE OF SCHMONSES NOTICES FEE

243 (/) Culers it is in this Code in any case otherwise expressly pro

- (\*) Where the usual place of abode or business of the person to whom the summons notice requisition or document is addressed is not in the canton ment it may be retired by pooting it in a registered cover addressed to his total place of abode or business.
- (3) Where the usual place of abode or liminess of the owner of any property is not known any such summous notice requisition or document ad dressed to him as such owner may be extred on the octupier
- (4) Where the usual place of abode or business of the occupier of any property is not known any such assumed so there requestion or document addressed to bim as such occupier may be served by affixing it on some conspicuous part of the property.

744. The service of a summons notice requisition or other document as a forested on any acent appointed by an absence owner shall be deemed to be service on the owner.

#### CHAPTER XIX

#### APPEAR AND REVISION

Appeals from executive orders when and to whom to Lo

Serrice ou

Berelte of

no lees requisitions and other documents

248 (I) Any person aggreered by any of the executive orders described in the second column of Schedule V may appeal to the authority specified in that behalf in the third column of the said schedule

#### The Cantonment Code, 191>

(Chapter XIX -Appeal and Revision -Sections 246 249 Chapter XX .-Committees of Arbitration -Section 2501

(2) No such appeal shall be admitted unless made within the period specified in that behalf in the fourth column of the said schedule

(3) The period specified as aforesaid as the time allowed for making an appeal shall be computed in accordance with the provisions of the Indian Limitation Act. 1908, with respect to the computation of the period of limitation thereunder

246. (1) Every appeal under this Code shall be made by petition in writing appeal. accompanied by a copy of the order appealed against

IN tone build of the James bus die at

(5) Where any such petition as aforesaul is piesented direct to the appel late authority and an immediate order thereon is not necessary, the appellate authority may refer the petition for report to the authority which made the order appealed against

247. On the admission of an appeal from an order, other than an order succeeded of tauned in a notice raucel under—

open 1991 contained in a notice issued under-

(a) Section 78, clause (e), (b) Section 85,

(c) Section 96, (d) Section 209, sub section (1), (s) Section 215, sub section (3), or

(f) Section 216.

all proceedings to enforce the order and all proscutions for any breich thereof shall be held in abeyance pending the decision of the appeal, and, if the order is set aside on appeal, disobedience thereto shall not be deemed to be an offence

748 (n tm -

Parlainn

249. Save as otherwise provided in section 248, the order of the appellate Finality of 249. Save as otherwise production and or modifying an order appealed against appellate authority confirming, setting aside or modifying an order appealed against appellate arters.

Provided that no order shall be confirmed, set asida or modified on appeal unless and until the appellant has had a reasonable opportunity of being heard

## CHAPTER XX

# COMMITTEES OF ARRITMATION

250. On a requisition being made to him under Condition XVIII or Cond. Obligation of tion XIV set Iorth in a lesse executed under section 254 in Forms B or D Commanding in Schedule VI within the period mentioned in such Condition, the Com Only of the component shall forthwish executed to instead to contend a state of the contended to the conten manding Officer of the contonment shall forthwith proceed to convens a convens committee of arbitration-

(a) to determine the amount of monthly rent to be paid, or

(b) to determine whether any, and, iI so, what, sepairs are necessary, and decide on the extent to which they are necessary

committee of or repairs.

tration-

#### The Canh ument Lode, 1915

(Chapter 11 -Committees of Arbitration -Sections \$51 255)

Dis r tion of Loumand no tiff or of cantonwent to course a camplifes of arbitration to decide question as to contill on of home or as to react or

TECALTE

- 281 (I) On an art heation being made to him under Condition N\ a Condition N\ a set forth in a lerve executed under section 264 in Forms B of D in Schedule N\ it is Communique Officer of the candomnet may, Siler as reinjury as he may think fit to make, proceed to convene a committee of arb.
  - (1) to determine whether the house has become unfit for accupation, or
  - (1) to determine the amount of monthly rent to be paid, or
  - (r) to determine whether any and, if so, what, repairs are necessary, and the extent to which they are necessary, or
    - (d) otherwise to determine the question in dispute
- (\*) In the exercise of the discretion rested in him by this section, the Commanding Officer of the cantonment may refers to convene a committee of its litter in a not the ground that the application therefor is groundless of frisological or for any other sufficient reason.

tiblication of town abding town abding tower of cantonwell to course year annulitie of arbitration to one to determine amount of the course of the course of the course of the course of the counties of the c

arbitratio :

252 (1) Where a committee of urbitration is to be convered, the Commanding Officer of the cantonment shall cause an order to be published in Station Orders, stating the matter to be determined by the committee of orbitration

Composition of eom sittee of arbitration epitentian epitentian of epitentian of arbitration of a

- 284 Every committee of arbitration convened under section 250 or 251 shall consist of-
  - (a) the District Magistrate or, if it is inconvenient for him to act, some Magistrate, being a justice of the peace, appointed by him to act in his stead.
  - (b) a member to be nominated by the officer concerned, and
  - (c) a member to be nominated by the lesses

appoint a member in the place of such nominee

county = 2 rl counts tee of artification contrast and r = then 2 \*

- 285. Every commuttee of arbitration convened under section 252 shall consist of-
  - (a) the District Magistrate or if it is inconvenient for him to act, some Magistrate, being a justice of the peace, appointed by him to act in its stead.
  - (1) a member to be nominated by the person or persons concerned, and (c) a member to be nominated by the cantonment authority
- Provided that, if such person or persons concerned as aforesaid fails or fail to nominate a member within seven clear days from the date on which he or they is or are called upon to do so, or if any member who has been nomina

(Chapter \ 1 -Commuttees of Arbitration - Sections 2.6 200 Chapter \ \ 1 - topplications for Building sites on Government I and in Cantonments -Sections 261 26" )

ated by \* persons. which h

to act, member in the place of such nominee

755 "

ing of the foregoin, provisions

2.57. When a committee of arbitratum has been duly constituted, the Assenting of the Comment Magnitrite shall, by notice in writing, inform each of the members arbitrite of this Let, and the committee of arbitration shall ascemble within seric clear arbitrite; days from the service of the notice

258. The District Magistrate or the Magistrate appointed by him to act Chair au of in his steat shall be the chairman of every committee of arbitration

259. Let the jurpose of determining the amount of monthly rent to be Calculation of

arbitrat ou rent by arbitration

neighbourhood by tenants

250 (1) The decision of every committee of arbitration shall be deter Division of mined by the majority of the votes taken at a meeting at which all the committee of members are present

(2) The decision of every committee of arbitration shall be final

and heal

# CHAPTER XXI

APPLICATIONS FOR BUILDING SITES ON GOVERNMENT LAND IN CANTONNENTS

261. Every application for permission to occupy for the purposes of a Applicate abuilding sits, land belonging to the Government in a carbonnest shall be for term with adjuncted to the carbonnest submitty in writing, and shall contain the Convences. following particulars, namely land for tulld og sites

(a) the situation, area and boundaries of the land,

(b) the materials to be used in the intended huildings.

(c) the period after the date of occupation within which the intended buildings are to be completed, and

(d) the purposes for which the land and the intended huildings are to be

262. Every application made under section 261 shall be accompanied by Documents to

(a) a plan, on a scale not smaller than one hundred and ten feet to the appli strong inch, showing-

(i) the boundaries of the land.

(ii) the roads or lands adjoining, and

(iii) all buildings intended to be erected on the Janda



(Chapter AAI -Applications for Building sites on Government Land in Contonments -Section 265 Chapter AAII - Registration of Immove able Property in Contonments - Sections 266 268)

able Property in Castonnests - Sections 200 208 ]

# Chapter

- (2) To overy lesse and to its counterpart there shall be appended a site plan of the land prepared at the cost of the applicant on a scale net smaller than one hundred and ten feet to the inch, showing—
  - (a) the hounds nes of the land,
  - (b) the roads or lands adjoining, and
  - (c) all buildings authorised to be erected on the land
- (5) The site plan shall be verified by the Executive Engineer and shall be agged,-
  - (a) If the land is situate in a bazar, by the Cantenment Magistrate,
  - (v) it the land is not situate in a bazar, by the Officer Commanding the Brigade, or if there is no such officer the Commanding Officer of the cantonment.
- and shall he endorsed with the date of its preparation, the name of the lessee and a note specifying the period within which the hulldings to be erected on the land are to be completed
- (4) One copy of the site plan, prepared at the cost of the applicant and rerified by the Executive Engineer, shall be delivered by the applicant to the cantonment authority
- cantonment authenty

  285. When the requirements of section 264 have been compiled with the Grant and
  contempent authenty shall—

  record of leases
  - (1) grant to the applicant the lease with site plan assexed and deliver to

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agnature copy of

# CHAPTER XXII

### REGISTRATION OF IMMOVEMBLE PROPERTY BY CANTENMENTS

- 266. The cantonment authority shall prepare and maintain a general plan General plan of the cantonment, on a self-of not less than twelvo inches to the mile, showing all necessary details and distinguishing in particular—
  - (a) all houses (if any) which have been set apart, in accordance with the conditions of leases executed under section 264, for occupation by civil officers, and
  - (b) all land (if any) which does not belong to the Government, and all houses (if any) situate thereon
- 267. The cantonment authority shall also prepare and maintain a hazar lamar-plan, on a scale not smaller than one hundred and ten feet to the inch, of every bears in the cantonment.
- 248. (1) Every site shall be shown under a distinguishing number on the sites said plans prepared under this Chapter, and the numbers for each bazar shall form streets labe a separate series
- (2) Every street shall be shown on such plans as aforesaid by its name or under an alphabetical letter or number.

#### The Cuntonment Code, 1912

(Chapter XXII -Registration of Immoveable Property in Cantoniments -Sections 269 272 )

Dalling and a ill outication of tlaus

269 (i) Lacry plan prepared under this Chapter shall, on completion, be dated and authenticated by the signature of the Executive Engineer

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(2) Whenever a general plan prepared under section 266 is altered, the alteration shall be explained on the plan in a memorandum dated and signed by the Luccutive Engineer 270 No plan

without an ction 1 eg aler of Governme t land held by lestees out ide tra Zhra

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of the cantonment mitted with an ap

particulars so far as they can be ascertained, namely -

- ( ) the name of the erntenment and the number and date of any orders de larm, it to le a cautonment or deliming its limits,
- (1) a reference to any amiliar register kept before the commencement of the Contenment Code, 1839.
- (r) the date of registry of the site
- (d) the number of the site, is shown on the general than maintained under section 266,
- (r) the dimensions of the site.
- (/) the boundaries of the site.
- C in (y) in Bite tlio the
- (b) the name and description of the leases at the date of registry,
- (i) the name and description of the lesses a agent (if any) at the date of registry,
- (1) the nature of the lessee a right under this and the Cantonment Code. 1899, or under any other provision of law, including the particulars of any special right of occupancy;
- (A) the estimated value of buildings on the site at the date of registry,
- (f) the dates of authorities to add to buildings, and
- (m) all changes occurring from time to time, whether by transfer, by alterations or additions, by decisions of committees of arbitration, in dimensions, in value, or in agency

I'xplan ition -In this section, the expression "date of registry" means the date of entry in the register maintained hereunder .. ~

Resister of Governo ant lettees la bezers.

particulars so far as they can be ascertained, namely --

- (a) the name of the bazar,
- (b) a reference to any similar register helt before the commencement of the Cantonn at Code, 1899.
- (c) the date of registry of the site,
- ( i) the number of the site as shown on the fazor plan maintained and a rection 267,
- (c) the directions of the site
- (f) the boundaries of the site,

#### The Cantonment Code, 1912

#### (Chipter AAII.—Regulation of Immoreable Property in Cantonments — Sections 253 254)

- (g) in the case of a site occupied before the commencement of the Cinneaun lo occupy the site, the commencement of the see executed by the level
- (h) the name and description of the bases at the date of registry,
  (c) the name and description of the leaves a agent (if any) at the date of
- registry,
- (1) the estimated value of buildings on the site of the date of registry.
- (b) all changes occurring from time to time, whether by transfer, by all terations or odditions, in dimensions, in value, or in agency

Liplanation -In this section, the expression "date of registry in his the date of entry in the register maintained bereinder

- 273. The Cantonment Magnetrate shall manutam a regarder showing, in Legitieral regard to all land (if any) when its paint of property, and the buildings smarter printer had the toon, the following I uticulars, so far is they can be ascertaned, manuty
  - (a) the name of the cantonment, and the number and date of any orders declining it to be a contempent or defining its limits,
  - (b) a reference to ony similar reporter kept before the commencement of the Cantonwent Code, 1899,
  - (c) the date of registry of the site,
  - (d) the number of the cite as shown on the general plan,
  - (e) the dimensions of the site,
  - (f) the boundaries of the site,
  - (g) the name and description of the owner at the dote of registry
  - (A) the name and description of the owners ogent (if any) at the dite of registry,
  - (i) the particulars of the owner's right by reference to any acknowledgement by the Government, or any other proof.
  - (1) the estimated value of bmildings on the sate at the date of registry, and
- (k) oil changes occurring from time to time, whether by transfer, by siterations or additions, in dimensions, in value, or in agency Explanation—In this section the expression 'diste of registry means the date of entry in the register maintained bereamder
- 274. (1) The Cantonment Magistrate shall maintain a register of transfers, Register of in which he shall from time to time enter references to all transfers of immove transfers able property—
  - (a) registered in his own office, where he is him-elf Registrar or Sub Regis trar of the cantonment under the Indian Registration Act, 1903, or
  - (b) appearing in the copies forwarded to tim by the Regutrar of the district under section 29, sub-section (\*), of the Cantonments Act, 1910.
- ss the case may be
- (2) The register of transfers shall contain the following particulars, namely -
  - (a) a serial number for each transfer.
  - (b) the date of registry .
  - (c) the distinguishing number of the site as recorded in the register maintained under s. ti ii 271 272 or 273, as the case may be
  - (d) the name of the transferor.
  - (e) the name of the transferee.

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#### The Contornert Code, 1912

- (Chapter AM -1 og tiett n of Iron ceable Legetty in (art mierti beet one mans Chapter AMI -bupperental -beetions my ma)
- (i) the nature of the transfer that is to saw whether the cale is stigate, gift on hange or bequest
  - ig) the date of the transfer and
  - A) where the car connect has been constituted a dating or sub-dating to first the turpes of the Indian Legislation that 1933 references to axis of the linears. Now. I. It and III kept in the connection to the section of Stand Sociation and
- displan to a lin this section the expression disciding after means the date of entry in the sent of anthonormal hereunder

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271 27 and 27 respect with of changes occurring to transfer 276. He are overland on a stall in the most of July in each real makes mayed in of the registers on a taned on the section 271 272.

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(\*) In I cut of an analytism to as his east at read the Magnetrate may require the effection to tempth the make of an far as till as within it a power to do as.

Calman 218 (1) No trains made unior set in 174 or not n 77 shall come for the art it releases in a few months of his blood commentary political field by the few lifes and in not remove as the least of smooth may present in the

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(1) The Local theorement may can whate or of trade medians with two law
and thereing the same thall record to have effect.

#### The Contoursent Code, 1912

#### (Chapter X VIII - Supplemental - Sections 280 286 )

280 (I) The contonnent authority shall, before making any hyelwas Footdoria under section 174 or section 277, publish, in such manner as may, in the lighten by-opmon, be sufficient for grung falormation to persons interested, a draft of the control of the contr

(2) If, on such consideration of the draft, any modification is made, the Local Government shall determine whether or not the draft shall be re-pub lished for further criticism under this section

#### Delegition of Functions

281 (1) With the previous sanction of the Governor General in Council Delegation of the Local Government may, by order published in the local official Gazetta, functions of authorize any person mentioned in such order to discharge any of the functions Cantonnett imposed by this Code on the Cantonment Magistrate, except those imposed by Magistrata Chapter VI

Provided, first that a person so authorized shall discharge such of the said functions only as the Cantonment Magistrate may by order in writing assign to him, and

Provided accordly, that the Cantonment Magistrate may, by a like order, tesume any functions which he may have so assigned

(2) In the discharge of any functions so assigned to him such person as aforesaid shall, under the control of the Cantonmant Magistrate have the same powers and responsibilities as the Cantonment Magistrate Ang 17 12 11

Delegation of Inncions of the Unicer Commanding 283 (1) The Cantonment Committee may by order in writing, delegate Delegation of any of its functions to a sub-committee consisting of any two or more of the Cantonment

Commiltee s functions to

members of the Cantonment Committee (2) Every order passed by a sub committee appointed under sub section (1) sub-committee shall have the same effect as an order of the Cantonment Committee

Provided that the Cantonment Committee may in any particular case, re quire that any order so passed be submitted to it for confirmation before large

#### A otices

HIL OF THIS SECTION

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285 Where it is 1 ro owner, lessee or occupier the occupier are different primarily hable to compl

ihem Provided that where there is no owner or lesses resident in the cantonment. tle delivery of the notire to the occupier shall be sufficient.

288 Fvery notice usued by the cantonment authority under this Code Authentication shall be signed-Std Talklity

(a) Iv the President or Secretary of the Cantonment Committee (if any), leased by

CARTONN

SCHEDULE I.

(See Chapter IV.) FORM L

Register of Receipts inth the-

Cantonment Fund

The Contonment Code, 1912 SCHEDULE I. Carried Carried Both Total ceeh Minor heads and sub-heads, Major Hrab Winor beads and sub-heads, Maron Buan Parti-estare of weipte. Add total to end of last month Total from 1st April to date Total for the month P. Const

FORM 2 RECEIPT.

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[To be retained in Contonment Authority's Office]	No Duted	Revivel from	on second of	Ps		

The Cantonment Code, 1912

FORM 3.

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The Cantonment Code 1912

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FORM 5.

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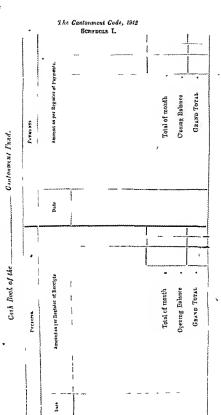
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The Cantonment Code, 1912 SCHEDULE I

FORM 7



#### The Cantonment Code, 1912

#### FORM 8

Budget Frimate of Receipts of the \_\_\_\_\_Cantonment Fund for the financial year 19 -19 .

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#### The Cantonment Code, 1912

#### SCHEDELE I FORM S

Budget Estimate of Receipts of the Cantonment Fund for the financial year 19 -19 -- concld

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Division Independent Brigade

#### FURIDILE I I ORM 8

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Bud jet Primate of Expenditure of the Cantonment Fund for the fibancial year 19 -19

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#### SCHEDULE I

#### FORM 8

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#### The Cantanrient Code, 1912

#### SCHEDELS I FORM S -APPENDIX A

Detailed 1 ist of Establishment provided for in the Eudyet Estimate of the Cantonment for the year 19 -19

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#### The Contemporal Code, 1922 Schools I

#### FORM S.—APPENDIX B

Detailed List et Expenditure grorided for in the-Cartonmert Fund Budget Estimates other than that in cluded in Appendices A. G. and D.

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#### The Contonment Code, 1912

#### SCHIDELE I TORM 8 -APPENDIX B-contd

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5,—Grants to Charitable and Edu- cational Institu- tions					
	Hospitals and Dispensaries contingencies				
6 —M e d 1 cal	Vaccina t 1 o n contingencies				
	Epidemics, etc contingencies				
		I			

#### SCHEDULE 1

Definite of Dudget Betimate for Uriginal Works fronstruction of Buildings Roads Laternes, etc) in the Contonment for the veny

FORM S-APPENDIY C

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Net -Column 2 will show the entire cost of the work, column 4, the run sandsweed for expenditure during the current year, where the respect of the war, and column 6, the monet proposed for expenditure during the renewage year. Thus, it has work is to be recompleted during be examing year. Thus, it has work is to be excepted during the centum year, the total of columns 4, 5 and 6 will equal that in column 3 otherwise that difference will show the amount shock will shill be required to complete the work. o The totals in column 4 will opers with the allocuments made in the body of the version extenses for the expent gene

The Contonment Code, 1912 Schapple I

Cantonment for the year -TORM 8-APPENDIX D. Details of Budget Externate for Maintenance and Repairs in the Mros Ham "10-Public Works"

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Sab beeds	Buldings	Roads	Other works	Petty Construction and Repairs

#### The Cantonment Code, 1912

#### SCHEDULE I.

#### FORM 8.-APPENDIX E.

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FORM 8-APPI'NDIX F.

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## FORM 8-APPENDIX G

Unionent inners the actual investments of the Cantonness Establishment Fund together seith 110 probable additions to, or released, during the periods shown

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### FORM A. TAX DEMAND REGISTER.

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The Cantonment Code, 1913

[SCHEDULE II .- See section 57.]

Munt. Form No 19

FORM

PROFESSION and Trade Tax First half year Assessment Collection an Assessment number September Name of Ann o of strict and or other address Apni May Jaly August Monthly incom ì 2 :0 21 3 2 2 2 2 3 8 8 30 15 13 14 15 10 17 19 19 20 21 22 23 .4 25 \*8 27 21 19 30 31 32 33 36 38 24 37

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Reguter for the year 19 -19 .

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#### The Contonment Code, 1912

[SCHEDULE II —See section 57.]
MUNL FORM No 21

#### FORM Drugne Register of Private Scavenging

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C. Pees for the year 19

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#### The Contorness Code, 1915

(SCHEDULE IL-See section 571

FORM

MUSL FORM NO 22

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#### The Contonment Code, 1912

#### [SCHEDULE II -See section 571

MUNL FORM No 23.

FORM

Anrean Demand Register from the years 19 -19 to 19 -19

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#### The Contonment Code, 1910

[SCHLDULF II See section 57]

IORM

MUNL FORM No 35

REGISTER OF

(Article 183) (To be Note—The clerk concerned should note the number of each warrant issued against the corresponding assessment num When property is distribed an 1s 1s that effect should be made in column 21 Separate sets of pages coarective numbers should be arrants issued to each of these officers.

		119			Taxo	arts	Tex on l	nildinge	Tax or	lands
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#### WARRANTS

#### printed on open foolscap.)

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MUNI FORM No 47.

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The Cantonment Code, 1912

[Set Ala's 11 - See sects n 57] Mryl. Form No 47-con'd. 30 la Sestember 14,

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### BOHEDHER III

## (Sce section 208)

)	ORM OF	NOTICE TO	ATTEVD AT	HOSPITAL,	ETC

Го		
Take notice t	hat, under sec	ction 208 of the Cantonment Code,
1912, you are here	by called npo	on to attend at the
		day,
the	, 19	_,ato'clocku, and
not to quit the es	a.d	without the permission of the
Medical Officer 1	n charge, nuk	ess and until that Officer is satisfied
that you are not	ın fact suffern	ng, or are no longer suffering, from
an infectious or o	eontagious dis	order, that is to say, from
		Medical Officer in charge of the
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Dated		, 19—

### The Cantonment Code, 1912 Scannoux IV

### (See section 242)

#### CASES IN WHICH POLICE MAY ARREST WITHOUT WARRANT.

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scetlos	,	Sabject
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### PART A

67 (a) (i)	Drunkenness ete
197	Making or selling of food etc., or mashing of clothes, by infected person
277	In contravention of byc law cutting or destroying trees or shrobs or making exercations, etc, in bill cautonment

### PART B

87 (a) (n	)		ł	Using threatening or abusive words etc
67 (a) (s	11)			Indecent exposure of person, etc
C7 (n) (11	•)		į	Begging
67 (a) (v	)		1	Exposing deformity etc
67 (a) (r	ic)			Gsming
67 (a) x	11)		i	Destroying public notice, etc
67 (a) (s.	111)		į	Breaking direc son post, etc
67 (9)				Keeping common gaming house, etc
67 (4)				Intruling on bathing place etc
67 (1)				Playing mus c.
67 (3) *			٠	Slagues, etc., so as to distorb public peace or order
17 (k)	•	•	٠	kiring gun, or doing other act so as to frighten animals or couse animance or danger
67 (n)			1	Bailing
90 (2)	•			Pestroying, etc. name of street or number affixed to building
340				Rash elding ve dereing

SCHEDULE IV —confd								
1	1 2							
Section		aabject						
	PART B —contd							
141	.	Riding or driving at tip e or in manner prohibited						
142 .	·	Driving, stc, between nightfall and dawn without a suitable ismp						
144		Leaving vehicle or animal without proper control						
146		Obstructing street.						
161 .	• (	Polluting source of public drinking water supply						
162		Impairing quality, or diminishing quantity, of water in source of public drinking water supply or injuring or impairing esofulness of water works						
163 '		Trespass on water-works						
166		Throwing corpse into a source of public water supply						
170		Bathing or washing at public well or spring so as to pollute the water						
175		Feeding animal on filth, etc						
209 (2)	•	Remaining in, or re-entering cantonment after notice of expalsion for failure to attend hospital or dispensary						
210		Introducing liquor or drug into hospital or dispensary						
213		Mendicancy						
214		Lostering or simportuning for sexual immorality						
315 (3) 216	}	Remaining in, or returning to a cantonment after notice of expulsion						
216 •		Cruelty to summals.						
224	•	-						
2.2-4		Letting off freworks, stc , without permission						

# SCHEDULE V (See Chapter XIX)

## APPEALS FROM EXECUTIVE ORDERS

1	2	3	•	
Section	Executive order	Appellate authority	Time allowed for appeal.	
31	Cantonment Magnetrate order damissing serrant of cantonment authority—  (1) whose salary is less than twenty free rupers a month, (u) whose salary is not less than twenty fire rupers a month	Cantonment autho	Thuty days from dato of order	
75 (r	Cantonment authority a notice to provide sufficient drainage	Ditto ditto	Fifteen days from service of notice	
82	Cantonment authority a notice to fill up a tank or marshy ground or to drain off or remove waste or ataguant		Thirty days from service of notice	
8*	Cantenment authority s notice requiring a building to be repaired or altered so as to re more auntary defects	Ditto litto	Ditto	
92 t)	tartenment authority of refusal to sanction the erection or referection of a building	Ditto d'éto .	Thirty days from date of refusal	
92 (3	Cautonment authority a notice to alter or demo	Dtt ditto .	Thirty days from service of notice	
	Cantonment authority a notice to pull down or other we deal with a build up newly sected or rebuilt without per- mission over a sewer, drain, culvert water- course or water pipe	Ditto ditto	Ditto	

# The Cantonment Code, 16.79 SCHEDBLE V -contd

ı	3	3	4
Section	Executivs order	Appellate authority	Time allowed for * appeal
96 .	Cantonment authority s notice to repair, pro- tect or enclose a build- ing, well, tank, reser- voir, pool, depression	Officer Command ing the Division	Thirty days from service of notice
97	or excavation Cantonment authority's notice to remove a building, wall or struc- ture or suything affixed thereto, or a bank or tree, or to re par a building, wall, structure or bank	Dilto ditto	Ditto
110 (1)	Cautonment authority a notice to close a sarai	District Magnetrate	Ditto
119 (3)	Cantonment anthority's notice to close a mar ket.	Officer Commanding the Division	Ditto
129	Cantonment anthority's notice prohibiting or restricting the use of a slaughter-house	District Vagistrats	Twenty one days from service of notice
200	Order of Command- ing Officer of cauton ment, on report of Medical Officer, derecting a person to remove from the cantonment and pro- labiting him from re-entering at with out permission	I The Commander in Chief it the Commanding Officer of the cantonment is the Officer Commanding the Division in all other cases	
310 (3)	Cantonment Magas- trate's notice directing a person to remove from the cantonment and prohibiting him from re-entering it without permission	District Magistrate	Ditto

# The Cantonment Code, 1918 SCHEDULE V -concld

ECHIPOLE 4 LONGIS						
1	1	,	4			
Section	Execuliva order	Appellate authority	Time allowed for			
216	Cantonment Magis tratice notice insued on order of the Com manding Officer of cantonment direct ing a person to re nove from the cantonment and pro hibiting, him from re entering it with out permission	I -The Commander on Chef if the Commanding Officer of the contonnent is the Officer Commanding the Division II -The Officer Commanding the Division in ell other Care	Thrty days from service of notice			
251 (2)	Order of Command and Officer of canton meat-refus age to a committee of subtration	I - The Comman der in-Chief; if the Cormsand ing Off eer of the conton ment is the Officer Com manding the Division II - The Officer Commanding the Division in all other cases				
261 and Sciedule VI (Con	Cantonment authority s notics in pur suance of conditions of lesse requiring a lessee to let a house, not already occupied by military efficer, to a mil tary officer	Officer Commanding the Division	Twenty-on days from service of notice			
d tions of . Leass)	Contonment authority's notice in parsonne of conditions of lease requiring a lease to let a house to a civil of cer	Dtto ditto	Datto			
	Cantonment authority a notice, in pursuance of condit one of lease, re- quiring a tenant to vacate a house	Date date	Ditto			

# The Cantonment Code, 1912 SCHEDULE 11 (SEE SECTION 264) FORM A \* (Form of Lease to be executed in eases of land applied for by a Railway Company or for the purpose of erecting a hospital, school or other public building ) successors in office and essigns) of the one part, and

This Indenture made the day of Between the Secretary of State for India in Conneil (heremafter called the Secretary of State which expression where the context so admits shall include his

(Hereinsfier called the Lessee (s) which expression where the context so admits shall include the successors and sesigns) of the other part.

Whereas the Lesses (a) has applied for permission to occupy, for the purposes of a building site, the laud belonging to the Government in the

Contonment which is delineated in the site plan hereto oppended, and have by sections

· Officer Com-

Now this Indenture witnesseth as follows-

The Secretary of Skite doth hereby grant unto the Lesses (e) liberty and license to enter into end upon the pice or parcel of land defined on it is site plan hereto expended and henceforth to occupy the same as a site for the Tynii is as the case may be execution of bindings and henceforth to hold and ' Fill is as the case may be ' free of rent but ' or 'subject to the payment of the yearly rent of Re and' enjoy the same and any buildings erected by them

annesnre hereto

thereon? subject to the conditions set forth in the 2 The Lessee (s) hereby covenant (e) with the Secretary of State that the

Strike out words in brackets Lessee shall and will (dn)y pay the said rent in the if no rent is parable msmaer provided in the annexure hereto and) observe alland every the conditions herembefore referred to and on that part to be

observed-

When the parties execute on acparate dates omit the words
the day and year first above
written' and add the dates be
low the signatures. The last of low the eignature. The last of such dates will be entered in the commencement as the day of making the indenture

In Watness whereof the Secretary of State has herennto set his hand and scal and the Lesseo (s) has caused its common seal to be smared the day and year have also set their hands and scale first above written.

Strike out to sait facts

Signed, Scaled and Delivered by the Officer Commanding the

Division acting in the premises for and on pehalf of the Secretary of State for India in Council in the presence of

The common seal of the

Company was hereto affixed in the presence of

Signed, Scaled and Delivered by the abovein the

presence of

<sup>·</sup> Copies of the Form, with the sunerare, will be ablainable gratis on application to the Cantonment Magistrate.

#### The Contouriest Code, 1312

#### SCHEDULE VI-C-11

#### ATTERTED TO FORW A.

Cc+3 ' +21

Considers I .- The bulliance to be exected on the last shall be commenced Concessment and south- which are mortis from the assention of the least to of bearings.

And shall be completed waters the period specified in
the arte en larger on such plan or within such further period (if any) as the anti-reily which machined the application male Clay'er XII of the Contrament Code, 1912, may, by order in writing, allew

Confidence II .- (1) The said bulliages and be erroled as sopreliance with the particulars specified in the Lesses (a), application Errind tentar sale sections 271 and 272 of the said Cantingent Cole and the plane and distinctly accompanying the same and the alle-clasappended bereto r where a proposed building a territory or addition is a district. ance therewish then in sommistive with south further or other particulars as may te permuted in writing by the ambenty which attributed the application under Chapter XXI of the mil Cois

(T key such permission may be made sthirt to say conditions which may be agreed upon between state artifects and the Loner (s)

be agreed upon between such authorise and the Leave (i).

Conditive III—The and what was the tool for any purpose other.

The strand of managere than those specified in the Leaves (i), and the latter of the Conformation Dr. (Leave (ii)) and the harding research on the land to prove not in full five such a state as abstracting to prevent their heavy used for the purposes so specified. The relief strange that if the such because or any part there shall it as where the charges are so that the state is considered by cartilipaths, five, or case or other act of Sold in high the said in each case the Leaves (i) that commonly the strange of the said to the said to the said in each case the Leaves (i) that commonly the said in the said in the said in the said in the said to the said said that it is not become the said that it is to offer Commonly the provided correlations that in the said point of the said said that the said is the said to offer Commonly the said provided correlations that is not said the Leaves (i) the sent of the purpose as a said the Leaves (i) the sent of the purpose as a said the Leaves (ii) the sent of the purpose as a said the Leaves (ii) the sent of the purpose as a said the Leaves (ii) the sent of the purpose as a said the Leaves (ii) the said that the regard to remeate the mose if for one as alread, which above perol that ter're calcular morable from the date of such destruction or miner

Condition III (d).—The Leave (s) shall pay the said yearly rent of Re.
by equal monthly laststemens of Re. The classe to be street est if the fact and the mai metalments shall be pall on

m ren free. the fiteeth day of every in oil during the continuence of the degree for the month terroristely preceding

Condition IF .- (1) Whenever the Leave (s) unless (s) is transfer by

Promis one transfer of London' interest take gring merigner or embange the to cortain creat. interest in the hand or on the hallfare

erroted on the land or in any part of the land or buildings they or the intended transferer shall give the Cantrement Magistrate one month's article in writing before the transfer is completed.

(3) The Officer Community; the Drawes shall have power within the said period of one month and with the concurrence of the Local Government to impose by erfer in writing his veto on any such transfer, and, if in any case the Canterment Anthorny e number of describe that the said power of veto shall be exercised, it shall report the case to such Officer Commanding the Distance without

(3) If notice of any such transfer is not given as afreen at the any such transfer in made after the same has been vot or the transfer that he void

#### The Cant ament Code, 1918 SCHI DULE VI-confd

Condition F - Fvery person on whom the Lesses (t) interest in the land my Person of Sero value of the bendings received on the land my specific by transfer, by rescession, or by operation of law that the contract that and in the Cantinument Anthony within one mouth from the date of each devolution a report in writing of the fact together with such particulars as may be required by that Authority for entry in the register maintained under section -71 or 272 as the ease may be of the Cantonment Code, 1912

Condition  $\Gamma I = (1)$  If the Lessec (s)  $\frac{d\omega_0}{d}$  not commence or complete an Precedition on branch of required by Condition I the buildings to be creted on the Condition I of Condit

which  $\frac{1}{16\pi^2}$  may have erected or collected thereon and if  $\frac{1}{16\pi^2}$  fall (1) to comply with such notice the Cautonment Authority may after giving  $\frac{11}{16\pi^2}$  nix. hours' further notice in writing exams such removal to be affected and recover the cost from  $\frac{11}{16\pi^2}$  and may also cancel the leass

(2) If the Lessee (1) erect (2) any building or make (2) any alteration or addition otherwise than as allowed by or ander Condition II the Cantonnent Authority may, by notice to writing, require them to remove the building or to alter the same to its satisfaction and if the faul (2) to comply with such notice of the Cantonnent Authority, may after giving it and hours further notice in writing

cause such removal or alteration to be selected and recover the cost from them.

Coalties FII-(1) C \ \cdots \cdots \ \c

Condition IX hold the land for ever without interruption by the Secretary of State

(2) If the Lessee (s) shall [feel to pay the saids rent of Re after the same shall become due or shall ] in the The words in brackets to be event of the said buildings being destroyed or struck out if the land is rent free injured by earthquake, fire, cyclons or other act of God fall to commence rehardlog the same as provided in Coodition III. and to remetata the same hereof with: . . 11 . 4 . 1 > .4... s d within auch period fit for use == · herembefore specified as thereia other than ( be observed the Local Government may after giving one month's notice to writing resume

possession of the land or any portion thereof and may on such recomption declare all or any part of the right and interest of the Lessee (r) no that buildings errected on the land to be forfeited

Condition FIII—Tile Lessee (r) shall not be cetilled to compensation

Condition VIII—The Lesse (r) shall not be soluted to compensation

Claims to compensation abstract

for any loss encurred by reason of suything
done in parameters of Condition VI or Condition

VII claims (2)

Condition JX—The Local Government may return possession of the Bibble of the Government as well band or any portion thereof at any time apportunity to the state of the state

#### SCHEDULE VI-could

Arbitration which shall be constituted as provided in thepter XX of the Cantonwest Code, 1912, and the Lesso (s) shall be bound by the decision of such Committee. In calculating the amount of such compressed on there shall be taken into account the following -

- (i) The riginal cost of materials and construction
- (ii) The condition of the haildings and their value at the date of resumption
- (111) The reat or profit (if any) or the equivalent which the I care may receive or enter from the use of the buildings or on account thereof.
- fire The period within which the buildings would become the property of Government without payment of any compensation to the Lessee

The Lesses shall not at any time downs the sall term remove the buildings erected on the said land or any part thereof nor make any structural alteration thereof or addition thereto without the like written permission as is mentioned in Condition II hercol

#### FORW B \*

#### (See Section 261)

(Form of lease for an undefinite term to be executed un cases of extensions of axielian sites; or where it is desired to regularize existing grants, or in other exceptional cares where the grant of traces in forms A. C and D is net exitable )

This indenture, made the

one part, and

day of

. Between the Secretary of State for India in Contail thereafter called the Secretary of State which expression

where the context so adm to shall suclude his successors in office and ats cus) of the son of

of (bereinsfier called the Lessee which espression where the context so admits shall include his heirs, executors a iministrators and are gus) of the other part

tera and a second of the secon . . . .

men many and an out a fartenness of or an entracedance of sections not ned nonof the Cartonment Lode, 1112 ,

And whereas the sail application has received the annetion of the Officer Command ng the Diris on :

Now this Indenture Witnesseth as follows

1. The Recretary of State doth Levely grant unto the Lessen liberty and I cense to erter into and upon the piece or parcel of land del meated by the s to plan hereto

appended, and to occupy the same as a site for the erection of build age and I race forth to boll and # Fillings the ease may be, " free of each hat," or "an less to the payment of the yearly are of rajers, and," enjoy the same and any buildings erected by him thereon, subject to the conf tions set forth In the annexare here,o

<sup>.</sup> Cot seed the Form and answerer can be obtained gret a on apply about the Cantorment Mar Hale.

#### SCHEDULF VI-contd

- 2 The Lessee doth hereby covenant with the Secretary of State that the Lessee shall and will duly [spay the sud rent in the manner provided in the annexnrs bereto and ] observe all and every the conditions \* The words to brackets to be omit heremiefore referred to and on his part to be tel if the land is rent free
  - observed. † In Witness whereaf the said parties hereto have becounts set their hands and

• IT-m the portion excels on error rate date on the through to be dar senis the day and year first above written and the year first above written and after the date below the erym terrer. The last of such dates will be appeared to the property of the companions of the supporting to the companions of the supporting to the companions.

day of moking the indesture

Signed, scaled and delivered by the

Officer Commanding the

Division, acting in the premises for and on behalf

of the Secretary of State for India in Council.

in the presence of

Signed, scaled and delivered by the above-named

in the presence of

#### ANNARURE TO FORM R

#### Conditions

In these conditions-

(a) h

the Lessee, house, and apportenant istrate, whose t Magistrate,

be final

- (b) the expression "repairs" to house shall be deemed to include such re pairs as are usually made in the neighbourhood to buildings of the same class as that to which the house belongs, but does not include additions, improvements or alterations except in so far as they are necessary to carry out such repairs as aforesaid or have been made with the Lessee's consent
- (c) "military officer" means a commissioned or warrant officer of the army on military duty in the cantonment and includes a chaplain, a can tonment magnitrate and any person in army departmental employment whom the General Officer of the Command may, for the purposes of these Conditions, place on the same footing as a military officer; and
- m ... are .... # A ag'l officer of the Cavernment and (d) " c

#### SCHEDITLE VI-contd.

Condition I \_To be 12 contact on \$2 mathed and \$2 111

Commencement and c of buildings

auch further period under Chapter XX allow

Condition II.—(1)

the plans and document hereto or where a propose

hereto or where a propose herewith then an accordance with anch inether or other particulars as may be permitted in writing by the authority which sanctioned the application under Chapter XXI of the said Ocide

(2) Any such permission may be given subject to any conditions which may be agreed upon between such authority and the Lessee

Goodston III —The land shall not be need for any purpose other than those beyond in the Lervec's application under sensor of business.

See cleans (4), of the Cautonment Code 1912; nor to full unto such a state as absolutely to present their being used for the purposes sessential.

Provided always that if the said buildings or any part thereof shall stay into bedistrived by earthquists, fire cyclone or other act of God or shall be so impored thereby es to render them undit for the purposes above specified them and in such case the Lessee shall within any calendar months from each destruction or injury as storead commence to rebuild the same and shall resistent the same

Condition III.—A \*-The Lesses shall pay the said yearly rent of rupees by squal mouthly instalments of rupees and the said instalments shall be . This clause to be struck out if continuance of this demonster for the mouth immediate rank of the continuance of this demonster for the mouth immediate rank of the continuance of this demonster for the mouth immediate rank of the continuance of the demonster for the mouth immediate rank of the continuance of the demonster for the mouth immediate rank of the continuance of the c

Condition IP.--(1) Whenever the L

mortgage, or

Power to veto transfer of the halidan

Power to veto transfer of the building the land or

ahall give the Cantonment Magnatrate or transfer is completed

(2) The Officer Commanding the Division shall have power, within the said period of one month, by order in writing.

cantonment auth rity be exercised, it shall i , without delay

(3) If notice of any such transfer is not given as aforesald, or if any such transfer is unide after the same has been vetoed, the transfer shall be void.

Condition F - Fiery person on whom the Lessee's interest in the land, or in

#### The Contonment Cods, 1912

#### SCHEDULE VI-contd

Right of the Government to appropriate the house for occu-pat on by any military or civil

Condition PI .- The Government reserves a right, subject to the conditions hereinafter contained, to ap propriate the house at any time for occupation by any military officer or cavil off cer

Condition VII -If the Agreement to warste to be executed when bonse is let to any person other than a mil tary or civil officer

Leasee lets the house to any person other than a military officer or (if the house has been set spart in accordance with Condition Y for occupation by civil officers) a civil officer, possession of the house shall not be given until-

- (a) such person has executed a stamped agreement undertaking to vacate the bouse whenever required so to do in pursuance of a notice issued under Condition VIII or Condition X without claim ug any compensation and has regustered such agreement under the law for the time being in force relating to the registration of documents, and
- (3) the Lersce has forwarded an attested copy of such agreement to the can tonment authority

Condition VIII - Whenever the cantonment authority considers that the right reserved by Condition VI should be exercised on be-Appropriat on of house for a military officer where it is not already occupied by a military balf of any mulitary officer it may, if the house is not already occupied by a military officer, and if it officer has not been set spart in accordance with Condition X for occupation by civil officers, by notice in writing-

(a) require the Lessee to let the house to the mulitary officer named in the notice and

(b) require the existing tenant (if any) to vacate the same

Condition IX-If the house is occupied by a departmental military officer and the cantonment authority considers that the right reserved by Condition VI should be exercised Appropriation of house for a to behalf of a regimental officer, or once vered, it pied by another military office ? may by notice in writing, require the officer in occupation to vacate the house, and may, if necessary, by further notice in writing,

require the Lessee to accept the change of tenancy

Appropriation of house for

Condition X --- (1) The cantonwest authority may, at any t me, with the previous sanction of the Officer Commanding the Division given with the concurrence of the Local Government, set apart the house for occupation by civil officers.

- (2) If the house has been so set apart, the arrangement shall not be revoked without the concurrence of the Local Government
- (3) If, while the house is so set apart, the cantonment authority at any time considers that the right reserved by Condition VI should be exercised in behalf of any civil officer, it may, if the house is not already occupied by a civil officer, by notice in writing-
  - (a) require the Lesses to let the bouse to the civil officer named in the notice.
  - (b) require the existing tenant (if any) to vacate the same

Condition XI -(1) Whenever a military officer or a civil officer considers that a notice should be issued in his behalf under Condi-Procedure to be observed betion VIII, Condition IX or Condition X, he may fore appropriating house, request (in the case of a regimental officer) the Com manding Officer of his regiment, or (in the case of a departmental military officer) had local head of his department, or (in the case of a cut) officer) the District. Magistrate, to make an application to that effect to the Cantonment authority.

(2) On receipt of any such application the cantonwent authority shall impulse into the case, and it shall not issue the notice unless it is satisfied....

(a) that the officer ought to reside in the cantonment, and
(b) that the circumstances are such as to require its interrention, and

(c) that the rent offered by the officer for the house is reasonable, and

#### The Cantonment Code, 1912.

#### SCHEDULE VI-contd.

Condition XXIII -If the Lessee fails to comply with any notice issued under clause (1) of Condition XIX and has not, with-Right of tenent to execute to pairs and deduct cost from rent sa fifteen days from the service of such notice required that the matter be referred to a committee of arbitration, or

----166 of the Cantonto which they

a period to be in that behalf.

the tenant of the house may himself cause the repairs specified in the notice to be executed at rates not exceeding those pand in the cantonment by the Military Works Department or the Public Works Department, and may deduct the cost thereof from the rent, or otherwise recover it from the Leave

Condition ZZIV-(1) If the Lessee does not commence or complete as rected r, by any of he hun COVER

(2) If the Lessee creets any building or makes any alteration or addition otherwise than as allowed by or moder Condition II, the canciument authority may, --- --

Condition XXV .- (1) 9 n t re-Porfeiture for breach of any Ьe other condition
The words in brackets to be
ambited if the land is rent free. for . . . . . . .

Condition XXVI -The Lessee shall not be entitled to compensation for any loss incurred by reason of anything done in pur-anance of Condition XXIV or Condition XXV, clause Claims to compensation barred, (2)

committee and Local Government may resume the land or any resume the land on payment of notice in writing, and an payment of compensation compensation for buildings. Condition XXVII - The Local Government may resume the land or any makes of the development of positions are related to the development of the substitution of the substitution of the substitution of the land or portion thereof as shall have been exceed under proper authority. If there shall be supported to the amount of such compensation, the same shall be referred to a committee of arbitration, which shall be constituted as provided in Chapter XX of the Cautomoret, Code, 1912, and the Leaves shall be bound by the decision of the committee of arbitration

#### The Cantonment Code, 1912 SCHEDULE VI-contd

#### FORM C.

(See Bection 264)

(Form of Lease for a term of years)

THIS INDESTURE made the day of Detween the Secretary of State for India in Conneil (hereinsfier called the Secretary of State which expression where the context so admits shall include his successors in office and sangual of the one part and

son of

(hersinatter called the Lessee which expression where the context so admits shall include his herrs, executors, administrators and assigns) of the other part. Whereas the Lessee has applied for permission to occupy for the purpose of a building site the land belonging to the Government in the

Candoment who is delineated in the sets planears in the Candoment who is delineated in the sets planeared appended and has submitted with his application the particulars and documents required by sections 261 and 263 of the Candoment Cod · 1913, and whereas the eard application has received the sanction of the Candoment Authority of Now this Inductive syttemetals sollows -

1 The Secretary of State doth hereby great onto the Lesses liberty and license to enter into and upon the piece or percel of land delicested in the site plan hereste appended end henceforth to compy the same as a site for the arction of buildings and henceforth to held and enjoy

†Fill in as the case may be
'Free of rent hat' or subject
to the payment of the yearly
rect of Rs and'

the same and any buildings erected by him thereon † subject to the conditionesst forth in the annexure hereto

2 The Lessee doth hereby covenant with the Secretary of State that the State of the Secretary of State that the Secretary of State that the Secretary of Secretary of State that the manual and will (Indiv) pay the sud rent in the manual secretary of Secretary of Secretary of Secretary of Secretary of Secretary of Secretary of State that the Secretary of S

When the parties execute on esparate dates omit the words the day and year first above written and add the dates below the sig atores. The last of such dates will be entered in the commencement as the day of making the indenture.

In witness whereof the said parties hereto have hereunto set their hands and eeals the day and year first above written.

Signed, Sealed and Delivered by the Officer Commanding the Division acting in the premises for and on behalf of the Secretary of State for India in Council in the presence of

Signed, Scaled and Delivered by the

in the presence of

Copies of this Form, with the annexure will be obtainable graits on application to the Cantonment Magistrate

#### SCHEDULF VI-coat?

#### I. .....

#### ANTEXTES TO FORM C

			traitin.				
Condition I "	71	• •		- 41	 ****	٠	
Commencen ant an'					 •		- 4
los of baildings,			-				
he note end ried t	•					٠.	••
utherity which sai					 : '	• • •	

Code, 1912, may, by order in writing, allow

Condutions II ~(1) The said buildings whill is erected in accordance with the Particulars specified in the leaser's application under sections 201 and 202 of the said Continuant Code and the plans and documents accompanied to each table is not in secondance further or other particulars as may be whele succiously the application under the particular than a property of the particular of the property of the property of the particular as may be successful as a property of the particular as may be successful.

(2) Any such a rmission mer be made sabject in any condit: as which may be acreed open between such authority and the Lessee

Condition III—The bink shall not be used I ray purposes other than the total of hall and shiftenanced specified is it is I seems a spillerial in under a section build res.

201, classe (a) of the Cantannest Colo 1912, not shall the buildings errected on the land by permitted to fell into such a latest as a shoulded to irrecent their being used for the purposes as specified, provided always that if the said buildings easy past there is shall at any it is building by parthypaths, five, eyel no or other act if God or is all by so injured thereby as received from unit for the jurgoes above appelled, them all is such case, the Lexico shall mithin an ealent in months from such destruction or injury as a fore-

that in no such cases all the Leske be required to resonate the same fit for one as aforesaid within a shorter period than twiere calcular months from the date of

Condition III (a) —The Letter shall pay the sail yearly rest of it.

This classe to be struck out it by equal monthly instalments of its.

And the land to restruck

and the sail instalments shall be paid on the fifteenth
that of every month during the continuous on this demas for the month imme-

such destruction or lajory

distely providing

Condition IF — (1) Whenever the Lesses Intends in transfer by sale, gift,
Power to reto the factor of the control of the c

(3) If n the of any such transfer is not given as aforestil, or if any transfer is mule after the same has been verted the transfer shall be void.

Condition I — Kerry person on whim the Leave's lighterst in the land or Profit of a mixture of Leaves, in the buildings creed on the land, may develve interest.

1) treaster, by succession or by operation of law shall send to the Conditionness Auth sity within een month from the data of such details are report for thing of the first is gettler with such particulars a may be considered in the condition of the conditions of the condition of the c

#### SCIILDULE VI-coatd.

Condition VI.—(1) If the Lesses does not commence or complete as required Procedure on breach of Condi- by [C 1500] to 100 To Condition II.

writing, require him to remore a have erected or collected thereon; a Cantonment Authority may after

cause such removal to be effected an
cancel the lease
(2) If the Lesses erects any building or makes any alteration or addition

(2) If the Lessec creeks any habiling or makes any alteration or addition or habiting they are altered by a make and a continuous through the continuous and a

omitted if the land is rept-free of year without interruption by the Secretary of State

not be renswable

years computed from the day of

(2) At the expiry of the said ferm of senewal of Tobs struck out to esses where such rener it is intended that the lease shall

said term of years the leases may be granted a senewal of the lease for a further period of years, such renewal and the period thereof to be at the discretion of the General Offices Commanding the Division

(3) If the Lerroe shall [full to pay they and reut of Rs. for 21 f The words in brackets to be struck out it the land is reaches to be struck out it the land is reaches.

the examt of the same shall broome due or shall in the examt of the said buildings being destroyed or the said buildings being destroyed or the said buildings being destroyed or the said buildings.

resumption, declars all or any part of the right and interest of the Lesses, in the buildings erected on the land to be forfested.

Condition VIII —The Lesse shall not be cutilled to compensation for any thing done in purterret. compensation loss incurred by reason of any thing done in purcontrol VII. clause

prior to expination of term on pensation whatever the land comprised in this disminute of the string of the state of the string

If there shall be any disputs as to the amount of such compensation, the same shall be referred to a Committee of Arbitration as Leremafter provided.

Provided always that the Local Government may, at any time prior to the superistion of the said term, resume possess on of the said and or any port on thereof upon giving one calender month's pasticus active is we may in that the high

#### The Continuent Code, 1913.

#### SCHEDULE VI-contil

in the Lersee under the head of strond side satisfaction differs and again paying the Lersee component on for good servicious and buildings standing on the land of which preserves shall be resumed as afterward as shall have how served during the said term under proper arthritist. It there shall be any dispute us to the amount of such component on the same shall be referred in a Committee of Arberton which shall be remained by the prevention in Contract. XI of the Contract o

- (1) The origina and of materials and enestruction.
- (b) The amilton of the buildings and their salar at the date of remarkion.
- in) The rant or profit (if any) or the equivalent which the Lewes may receive on an over from the use of the buildings or on account thereof.
- (a) The period within which the buildings would become the property of convergence within payment of any componential to the Lease.

The Lower shall not at any time during the said form, represents the buildings overfal on the said and or any part through nor make any attraction alternation without the like written parameter as in mentioned in Challion II horsel.

#### FCEM D.\*

#### (Site Satterns 2014.)

(Form of lines to he exampled in all crosse other than those for which forms A.

He and Care prescribed.)

This Infanture made the day of

State of the second state of the second state of the second state which state which second state of the se

ent of

(hormorphic called the Lesses which arresson where the context as admits abili finding his here, eventure, who already a personalization and assigns of the other part. Whereas the Lesses has applied for permission to accept for the purposes of a building with the land belonging to the Government in the Lauton most which is defined in the strengths beards amounted in the submitted with the application to specific variety and consequently applied to the consequent required to set any 20% and 20% of the Cantonnest Cycle. 122. And whereas the said supplied has been eventually and on a first officer Compaction to the

Now this Indicates witnesself as follows ----

1. The Secretary of Sinte doth hereby great anto the Lesses liberty and in one to only into and upon the piece of period of land delineated in the size-plan hereby appended and to occurry the same as a sub-for the arction of heighlings and house of the same and any

2 To in so the common or to be buildings several by him thereing and the hard and the buildings several by him thereing and the buildings are first, in the annexure hard to the semiliciant set first, in the annexure

<sup>&</sup>quot; I fried at this " year, with the discission will be obtained by fruits on application to the

#### SCHEDULE VI-contd

Strike out words in brackets if Strike out words in brackets it no rent payabls
When the parties execute on separate dates coult the words
"the day and year feet above writes" and add the dates below the segmanares. The lest

the ca.
The leet such dates will be antered in the commencement as the day making the Indentare

2. The Lessee doth hereby covenant with the Secretary of State that the
Lessee shall and will doly fay the said erent the
mantee provided in the anneaure hereto and
more tyrolic and every the conditions heresindefore referred to and on his part to be observed In Witness whereof the said parties hereto have here unto act their bands and scale the day and year first above written -

Signed, Sealed and Delivered by the Officer Commanding the

Diarejou acting in the premises for and on behalf of the Secretary of State for India in Council so the presence of

bigued, Sealed and Delivered by the abovenamed in the presence of

#### ANNEXURE TO FORM D

#### Conditions

TH FRESE COUNTRIONS C.								
(a) " house "	means	the house	erected	on the	land	occupied	Ьy	the

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(e) · ·	•	٠.	•	the plain, ental

ilitery nfficer

'4- ' shall be scommenced recution of the lesse. the period specified h plan or within such

as the anthority which ader Chapter XXI of

the Cantonment Code, Ibl., may, by order in writing, allow

Condition II -(1) The said buildings shall be erected in accordance with the particulars openfied in the Lessee's application under sections 261 and 262 of the said Cantonment Erection of buildings. Code and the plane and documents accompanying the

a proposed building, alteration or addition is not in accordance therewith then lo accordance with such further or ethes particulars as may be permitted in writing by the authority which sanctioned the application under Chapter XXI of the said Cods

officer

#### The Contonment Code, 1912

#### SCHEDULE VI-conld

(2) Any such permission may be given anbject to any conditions which may be agreed upon between such authority and the Legree

greed upon between such anthority and the Lessee

Condition III—The land shall not be used for any purposes other than those
specified in the Lessee's application under section

Use of land and maintenance of buildings

261. clause (a) of the Cantonment Code, 1912, nor shall the bonkings erected on the land be permitted to fall into such a state as absolutely to prevent their being used for the purposes so specife!

Proceeded always that if the said buildings or any part thereof shall et any time be destroyed by earthquake, fire, cyclone or other set of God or abail to any and the said t

time to destroyed by eartinguise, me, eyelone or other eet of Ood or 15.

Officer Commanding the Division shall seem fit. Provided nevertheless that in no such care shall the Lessee be required to remainste the same fit for use as aforesaid with n a shorter period than twelve calendar months from the date of such destroction or injury.

Condition III (A) -The Lessee shall pay the said yearly rent of Rs by equal monthly installments of Rs

This clause to be struck out if the land wrent fire demise for the month immediately preceding.

Condition IT (1) —Whenever the Leaves intends to transfer by raile, gift, more tage rectanged by interests in the sub-discrete in the land, or many part shall give the Cantonucut Maguirate on month's not earn writing before the transfer is completed.

(2) The Officer Commanding the Division shall have power within the said

dalay

(3) If notice of any such transfer is not given as aforesed or it any such transfer is made after the sum has been vetoed the transfer shall be vold. Condition F.- Every person on whom the Lease's toterest in the land or in

Report of devolution of Lesses's interest. The foundance recited on the lead may devolve by interest interest. The secretary of the properties of they shall send to the Cookement Authority within one month from the date of such devolution, a report in writing of the Sect together with such particulars as may be required by that authority for early in the reguler mightained under section 271 or section 272 as the case may be, of the

Condition IT—The Secretary of Etale reserves a right subject to the condition highly of the Secretary of Etale reserves a right subject to the condition highly of the forestone to the secretary of the secretary of Etale reserves a right subject to the conditions highly of the secretary of Etale reserves a right subject to the conditions highly of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the conditions of the secretary of Etale reserves a right subject to the secretary of Etale reserves a right subject to the secretary of Etale reserves a right subject to the secretary of Etale reserves a right subject to the secretary of Etale reserves a right subject to the secretary of Etale reserves a right subject to the secretary of Etale reserves a right subject to the secretary of Etale reserv

Conduction VII.—If the Lessee lets the bone to any person other than a agreement to varie to a military officer or (if the bones has been set again as exceedance with condition X for exception by conditional and an ambitary or with conditions a continuous with condition X for exception by conditional and a military or with conditions and the condition of the bones shall not be green until—

All not be green until—

(a) such person has executed a stamped agreement undertaking to varate the house whenever sequired so to do in pursuance of a notice issued under Condition VIII or Condition X without claiming any

#### SCHEDULE VI-contd

compensation and has registered such agreement under the law for the time being in force relating to the registration of documents and

(b) the Lessee has forwarded an attested copy of such agreement to the Cantonment Anthority.

Condition VIII .- Whenever the Cantonment Authority considers that the

Appropriation of house for a military efficer where it is not stready occupied by a military officer

relic received by Condition VI should be exercised on behalf of any military efficier it may if the base not is untaired, occup ed by a military officer and if the has not been set spart in accordance with Condition X for escentische by evil officers by notice in writing.

- (a) require the Lesses to let the house to the military officer nemed in the notice and
- (b) require the existing tenant (if any) to vacate the same

Condition IX—If the home is accupied by a departmental multiary office a hyperpartian of home for a and the Carbonner's Ambority considers the fitte multiary effect, where it is right received by Condition VI should be accreted compiled by section multiary in behalf of a regimental officer, or sees everal it may, by notice in writing, require the officer in accupation to reaction the home.

and may, if necessary, by further notice in writing, require the Lesses to occept the change of tenancy

Condition X -(1) The Cantenment Anthority may, at any time, with the Appropriation et hoess fee Drisson, grown with the concurrence of the Local Covernment est apert the hoess fer occupation by civil effects

(2) If the banse has been so set apart, the arrangement shell not be revoked without the concurrence of the Local Government

(3) If, while the house is so set apart, the Cantonment Authority at any time considers that the right reserved by Condition VI should be carried in behelf of any civil officer, it may, if the house is not already occupied by a civil officer, or notice in writing—

(a) require the Lesses to let the house to the civil officer named in the notice, and

(5) require the causing fenant (if any) to vacate the same

Condition XI—(I) Whenever a military officer era civil efficer counders that
a not ca should be issued in his babalf under
spropristing house

And the property of the propert

command up efficer of his regiment or (in the case of a departmental minitary efficer) the local head of his department or (in the case of a civil officer) the District Magnetrate to make an application in that effect to the Contonment Authority

- (3) On receipt of any such application the Cauteement Authority shall inquire into the case, and it shall not seems the notice notes it is satisfied.--
  - (a) that the officer englit to reside on the Contonment, and

austable for his residence

- (b) that the circemstances are such as to require its intervention, and
- (c) that the rent effered by the officer for the house is reasonable, end (d) if the house is vacant, that it is suitable for the residence of the
- (s) if the house is occupied, that it is amitable for the residence of the efficer, and that there is no vacant house in the Cantonment which is

#### SCHEDILL VI-meld

		CPILLIPONI	13				
Explanat	Au 4						ce of
an officer			•	•	•		sad
Cond	***						ı
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Sanction hones is ect back, hotel, a railway ad

.... Ducki Grovergment,

(2) Before application is made for such sanction the Commanding Officer of the Cantonment shall certify whether or not salts opinion the number of houses in the Cantonment, as compared with the strength of the cristing or probable garrison, renders it likely that such occupation as aforesaid would—

> (a) cause ar Am or in mulitar

(b) peccessists the acquisition of land at some future time for the extension of the Cautonment

Power cost to be superprised for military or titled great this coverpied, with sanctage as a bought based, above or condition XIII—No notice because the state of the sanctage

prii (a) io n

(b) is uccepted, with the aspection aforesaid by a Bailmay administration.

(c) is appropriated by the Local Government with the concarrence of the Officer Commanding the Division or by the Governor-General in Council, for use as a public office or for any other purpose

Condition XIV - Every notice to the Lesses issued under Condition VIII, Rate ordered to be stated to Condition X of Condition X, shall state the amount of monthly reat which the proposed tenant offers to

Cond pay for the house

Time to b :
proceeding o

(2) If surprise, no such notice as aforesaid shall require its

section in less than thirty days from service of the potice

Condition ZFI -- (1) Subject to the terms of any agreement in writing

Terms of tenancy per

lease

to be

a lease from manth -

- (a) without notice to the case of the departure of the officer from the Cantonment on duty or under medical certificate or in the case of a Committee of Arbitration deciding that the house has become unfit for occupation, or
- (b) by one month's notice in writing to the Lesses in any other case

(3) A notice under classe (1) of this condition must be signed by or on lebul of the officer concerved, and the Lantonment Magnetrate shall, if the officer so desires, cause it to be seried on the Lesses free of charge

#### SCHEDULE VI-could

(3) When a military officer or a civil officer has, in pursuance of clause (1) of this condition, given up his occupation of the house without notice and has occupied the bouse during a portion only of the calendar month in which his occupation ceased, he shall be lishle to pay as rent for that portion a snun hearing the same proportion to the monthy rent as the said portion hears to the whole month :

Provided that the anm shall not in any case be less than one-fourth of the monthly rent.

Lesses

Condition XVII - If any tenant of the boose, being a military officer or a civil officer, anhleis the same without the consent of Sab-leave vollable at action of the Lessee, the anh lesse shall be voidable at the option of the Leaser.

Condition XVIII - (I) If the Lessee considers that any rent offered by a proposed tenant and stated in a notice in accordance Right of Lesses to require reference to arbitration on oges with Condition X IV is menficient, he may, within a period of fifteen days from the service of anch tion of rent not ce, require that the matter be referred by the

Commanding Officer of the Cantonment to a Committee of Arhitration (2) If the Lence does not make such a requisition within the said period, he

shall be deemed to have accepted the rent so offered (3) After such acceptance of the decision of a Committee of Arbitration, the

amount of such rent shall not be called in question by either party except in the circumstances mentioned in clause (a) of Condition XXI 4 10 4 --, T'T. . \* \*\* -e 4n 4h

the notice

(2) If the Lesses objects to comply with any notice usued under clause (1) of this condition he may within fifteen days from the sarvice of the notice, require that the matter be referred by the Commanding Officer of the Caotoomsat to a Committee of Arhitration

unet for occupation

Condition XX.—If any tenant of the house, being a military or civil officer considers that his leave should be terminable without Power of tenant to apply for reference to erbitration on ones tion whether house has become notice in consequence of the hoose baying become unfit for occupation he may apply to the Command mg Officer of the Cantonment to refer the matter

to a Committee of Arbitration Condition XXI-If the Lessee and any tenant of the house, being a military or civil officer, disagree-

Power of either Lesses or tenant to apply for raference to arbitration on other questions.

- (a) as to any change in the rent of the house which is proposed in consequence of dispidations or additions to buildings or for any other almilar reason, or
- (b) on any matter relating to rent or repairs other than a matter referred to in clame (a) of this Canditton or in Condition XVIII, Condition XIX or Condition XX

Either the Lesses or the tenant may apply to the Commanding Officer of the Cantonment to refer the matter to a Committee of Arbitration. Condition XXII - Whenever any matter as referred to a Committee of

Condition XXII - Whethere my master as retained to a Committee of Condition XV III.

Arbitration is decision to be Condition XIX, Condition XX or Condition XXII.

binding on Lesser and his tream.

the Committee shall be constituted as provided

#### SCHEDULE VI-contd

in Chapter XX of the Cantonment Code, 1912, and the Lessee and his tenent shell be bound by the decision of the Committee

Condition XXIII - If the Lessee fails to comply with any notice issued Right of tenant to execute under clause (1) of Condition XIX, and has not repairs and deduct cost from within fifteen days from the service of such notice, required that the matter be referred to a Committee

of Arbitration, or

If any Committee of Arbitration constituted under Chapter XX of the Cantoomeot Code, 1912, decides that repairs are necessary and the extent to which they are necessary and the Lessee fails to execute such repairs within a ported to be specified in a notice issued by the Cautonment Actionity in that behalf, the tenant of the hoose may himself cause the repens specified in the notice to be executed at rates not exceeding those paid in the Cantonment by the Military Works Department or the Public Works Department and may deduct the cost thereof from the rent or otherwise recover it from the Lessoe

Condition XXIV -- (1) If the Lesses does not commence or complete as required by Condition I the buildings to be excited Procedure on breach of Condion the land, the Cantonment Authority may, by notice in writing require him to remove all or any buildings or materials which he may have erected or collected thereon, and if he fails to comply with sech notice, the Contonment Authority may, after giving him six hours' further notice in writing, cause such removal to be

effected and recover the cost from him and may also cancel the lease, (2) If the Lesses erects any huilding or makes any elteration or addition otherwise than as allowed by or under Condition II, the Cantonwest Authority occessive train as anowed by or mount common in the Canomiros accounts may, by notice in writing, require him to remove the building or to after the same to its estraction, and if he fails to comply with each notice, the Cantonment Authority may, efter giving him as hours' further notice in writing cause such removal or alteration to be effected and recover the cost from him

Forteltore for breach of any other condition.

The words in brackets to be unitied if the land is rent free

Condition XXP -(I) So long as the Lesses shall [\*duly pay the said rout and of Be and] observe the conditions herembefore specified and on his part to bo observed, he may, subject to Condition XXVIII, hold the land for the term of years computed without leterruption by the Secretary of State

from the day of years the lessee may be granted a (2) At the expury of the said term of

To be struck out in cases where it is intended that the lesse shall not be renewable

(3) If the Lessee shall [fail to pay the said The words in brankels to be rent of Be for 22 days after the same omitted if the land is rent free

. . . . -- 4 5 cyclone or other set Condition III hereof "I re lustate the same

a d within such period · hereinbeloro specified t to be observed, the a writing, resume the e, declare all or soy

part of the right and interest of the Lessee in the buildings erected on the land to be forfelted. Condition XXFI -The Leases shall not be entitled to compensation for anything soy loss incurred by reason of anything done in

sompenation pursuance of Condition XXIV, or Condition XXV, clausel (2).

Cialma Tatret

#### SCHEDULE VI-coacld

Land and buildings to be delivered up at expiration of term without compensation and right of Government to resume land prior to expiration of term on payment of compensation. To be struct out when sabclause (2) is to be need

Condition XXVII -(1) At the expiretion of the said term of years the I esser shall deliver up to the Local Government and without receiving any compression whatever (the land comprised in this demiso together with all erections and buildings which may be then stending thereon

To be struck out when it is intended that the lesse shall be absolutely terminable at the end of the fixed period and the build-

(2) If at the expury of the said term of years the General Officer Commanding the Division in the overcise of his dis cretion declines to renow the lease, the lesses shall deliver up to the Local Government and without any

compensation whatever therefor the land comprised ings are to lapse to Government. in this demise together with all erections and buildings which may he standing thereon on payment of compensation for such erections and huildings only as shall have been erected under proper authority

If there shall be any dispute as to the amount of such compensation, the same shall be referred to a Committee of Arbitration as hereinafter provided Provided always that the Local Government may at any time prior to the

. ... . sale quist am a come n se on a nath again a co - nortion thereof bat behalf to pon paying te the land of -rected during enote as to the

Committee of r XX of the usion of ench Committee In calculating the emenut of such compensation there shall be taken 10to account the following -

- (1) The original cost of materials and construction.
  - (11) The condition of the buildings and their value at the date of resumption.
  - (111) The reot or profit (if eny) or the equivalent which the Lesses may receive or enjoy from the use of the buildings or on accenst thereof
  - (13) The period within which the haildings would become the property of Government without payment of any compensation to the Lessee

The Lesses shall not at any time during the said term remove the buildings erected on the said land or any part thereof nor make any structural altera tion thereof or addition thereto without the like written permission mentioned in Condition II hereof



# CANTONMENTS ACT, 1910,

#### AND

# CANTONMENT CODE, 1912.

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